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INVESTIGATION OF
THE ASSASSINATION OF PRESIDENT JOHN F. KENNEDY

HEARINGS
Before the ^{U.S.} President's Commission
on the Assassination
of President Kennedy

PURSUANT TO EXECUTIVE ORDER 11130, an Executive order creating a Commission to ascertain, evaluate, and report upon the facts relating to the assassination of the late President John F. Kennedy and the subsequent violent death of the man charged with the assassination and S.J. RES. 137, 88TH CONGRESS, a concurrent resolution conferring upon the Commission the power to administer oaths and affirmations, examine witnesses, receive evidence, and issue subpoenas

Volume

XV



UNITED STATES GOVERNMENT PRINTING OFFICE

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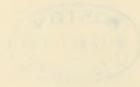
President John F. Kennedy (June 1961) as President order creating a Commission to investigate and report upon the facts relating to the assassination of the late President John F. Kennedy and the subsequent conduct of the man charged with the assassination and S. J. Res. 157, 88th Cong. 1st Sess. a concurrent resolution directing that the Commission be authorized to administer oaths and subpoena examine witnesses, receive evidence, and hear arguments.

March 1, 1965

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Volume

XV



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Biographical information on the Commissioners and the staff can be found in the Commission's *Report*.

*Mr. Willens also acted as liaison between the Commission and the Department of Justice.

Preface

The testimony of the following witnesses is contained in volume XV: Hyman Rubenstein, a brother of Jack L. Ruby; Glen D. King, administrative assistant to the chief of the Dallas police; C. Ray Hall, an FBI agent who interviewed Ruby; Charles Batchelor, assistant chief of the Dallas police; Jesse E. Curry, chief of the Dallas police; M. W. Stevenson, deputy chief of the Dallas police; Elgin English Crull, city manager of Dallas; J. W. Fritz, captain in charge of the Dallas Homicide Bureau; Roland A. Cox, a Dallas policeman; Harold J. Fleming, vice president of the Armored Motor Car Service of Dallas, and Don Edward Goin, Marvin E. Hall and Edward C. Dietrich, employees of the Armored Motor Car Service; Capt. Cecil E. Talbert of the Dallas Police Department, who was in charge of the patrol division on November 26, 1963; Marjorie R. Richey, James Thomas Aycox, Thomas Stewart Palmer, Joseph Weldon Johnson, Jr., Edward J. Pullman, Herbert B. Kravitz, Joseph Rossi, Norman Earl Wright, Lawrence V. Meyers, William D. Crowe, Jr., Nancy Mennell Powell, Dave L. Miller and Russell Lee Moore (Knight), former employees, business associates, friends, or acquaintances of Ruby; Eileen Kaminsky and Eva L. Grant, sisters of Ruby; George William Fehrenbach, a purported acquaintance of Ruby; Abraham Kleinman, Ruby's accountant; Wanda Yvonne Helmick, an employee of a business associate of Ruby; Kenneth Lawry Dowe, who talked to Ruby over the telephone on November 23, 1963; T. M. Hansen, Jr., a Dallas police officer; Nelson Benton, a Dallas news reporter who spoke with Chief Curry on the morning of November 26; Frank Bellocchio, an acquaintance of Ruby, who spoke with him on November 23, 1963; Alfred Douglas Hodge, an acquaintance of Ruby; David L. Johnston, the justice of the peace who arraigned Oswald for the murder of President Kennedy and Officer Tippit, and who also gave testimony concerning Ruby's whereabouts on November 22, 1963; Stanley M. Kaufman, Ruby's attorney, who spoke to him on November 23; William S. Biggio and Clyde Franklin Goodson, Dallas police officers; Roger C. Warner, a Secret Service agent who participated in the investigation of the killing of Lee Harvey Oswald; Seth Kantor, Danny Patrick McCurdy, Victor F. Robertson, Jr., Frederic Rheinstein, Icarus M. Pappas, John G. McCullough, Wilma May Tice, John Henry Branch, William Glenn Duncan, Jr., Garnett Claud Hallmark, John Wilkins Newnam, Robert L. Norton, Roy A. Pryor, Arthur William Watherwax, Billy A. Rea, Richard L. Saunders, Thayer Waldo, Ronald Lee Jenkins, Speedy Johnson, and Roy E. Standifer, all of whom gave testimony concerning Ruby's whereabouts on November 22 and/or November 23, 1963; William Kline and Oran Pugh, U.S. Customs officials who gave testimony regarding their knowledge of Oswald's trip to Mexico; Lyndal L. Shaneyfelt, a photography expert with the FBI; and Bruce Ray Carlin, Mrs. Bruce Carlin, and Ralph Paul, acquaintances of Jack Ruby; Harry Tasker, taxicab driver in Dallas; Paul Morgan Stombaugh, hair and fiber expert, FBI; Alwyn Cole, questioned document examiner, Treasury Department; B. M. Patterson and L. J. Lewis, witnesses in the vicinity of the Tippit crime scene; Arthur Mandella, fingerprint expert, New York City Police Department; John F. Gallagher, FBI agent; and Revilo Pendleton Oliver, member of the council of the John Birch Society.

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Hearings Before the President's Commission on the Assassination of President Kennedy

TESTIMONY OF HYMAN RUBENSTEIN

The testimony of Hyman Rubenstein was taken at 9:20 a.m., on June 5, 1964, at 200 Maryland Avenue NE., Washington, D.C., by Mr. Burt Griffin, assistant counsel of the President's Commission.

Mr. GRIFFIN. My name is Burt Griffin, and I am a member of the staff of the General Counsel's Office of the President's Commission on the Assassination of President Kennedy.

I have been authorized under the rules of procedure of the Commission to take your deposition here today, Mr. Rubenstein.

I might tell you a little bit about the Commission before we go into the testimony.

The Commission was established under an Executive order of President Johnson and under a joint resolution of Congress on November 29, 1963, to investigate and evaluate the facts and report back to President Johnson on the assassination of President Kennedy and the facts surrounding the murder of Lee Oswald.

In asking you to come here today, we are particularly concerned with the information you may be able to bring to bear upon the murder of Lee Oswald.

Now, under the authorization setting up this Commission by the President and by Congress, the Commission is authorized to promulgate certain rules of procedure, and pursuant to those rules of procedure, the Commission has authority to issue subpoenas and to require witnesses to attend here.

In pursuance of those rules we have sent you a letter. I want to ask you now if you did receive the letter. You are pointing to your inside coat pocket. Can you tell us when you received the letter from the Commission?

Mr. RUBENSTEIN. I, that I, can't tell you because I was gone out of town all last week, and I came in Monday night, and I didn't open my mail until Tuesday morning.

Mr. GRIFFIN. But you did see the letter on Tuesday.

Mr. RUBENSTEIN. Definitely. It was too late for me to get here.

Mr. GRIFFIN. The reason I ask is that you are privileged to have 3 days' notice before you come here and I wanted to make sure we had given you the 3-day notice.

Mr. RUBENSTEIN. It probably was there.

Mr. GRIFFIN. Now, you are also entitled under the rules of the Commission to have an attorney with you if you desire, and I see you don't have one here so I take it it is not your desire to have one.

Incidentally, in the letter that we sent you did you get a copy of some rules of procedure?

Mr. RUBENSTEIN. I wasn't worried about it because I felt I have nothing to hide to tell you.

Mr. GRIFFIN. All right. Do you have any questions that you want to ask about the general nature of what the proceeding will be before I administer the oath?

Mr. RUBENSTEIN. No; but I think it is going to be very interesting.

Mr. GRIFFIN. Let me ask you to raise your right hand if you will. Do you solemnly swear the testimony you are about to give is the truth, the whole truth, and nothing but the truth, so help you God?

Mr. RUBENSTEIN. I do.

Mr. GRIFFIN. If you would, give the court reporter your name.

Mr. RUBENSTEIN. Hyman Rubenstein.

Mr. GRIFFIN. Where do you live, Mr. Rubenstein.

Mr. RUBENSTEIN. 1044 Loyola Avenue.

Mr. GRIFFIN. Is that in Chicago?

Mr. RUBENSTEIN. Chicago, 26.

Mr. GRIFFIN. How long have you lived there?

Mr. RUBENSTEIN. 6 years.

Mr. GRIFFIN. Can you tell us when you were born?

Mr. RUBENSTEIN. December 28, 1901.

Mr. GRIFFIN. Where were you born?

Mr. RUBENSTEIN. Warsaw, Poland.

Mr. GRIFFIN. When did you come to this country?

Mr. RUBENSTEIN. When I was 2½ years old.

Mr. GRIFFIN. That would have been in 1903?

Mr. RUBENSTEIN. I don't—all right, put it down, I don't know.

Mr. GRIFFIN. The only recollection, I take it, you have——

Mr. RUBENSTEIN. From my folks when they told us when they came here.

Mr. GRIFFIN. What is your occupation at the present time?

Mr. RUBENSTEIN. I am a salesman.

Mr. GRIFFIN. Who do you work for?

Mr. RUBENSTEIN. I work for Davidson and Uphoff.

Mr. GRIFFIN. Where is that?

Mr. RUBENSTEIN. 448 Mark Avenue, Clarendon Hills, Ill.

Mr. GRIFFIN. What do you sell?

Mr. RUBENSTEIN. Florist supplies.

Mr. GRIFFIN. What do those consist of?

Mr. RUBENSTEIN. Bird cages, stands, different things that the florists sell in their shops and greenhouses.

Mr. GRIFFIN. Are you obliged to travel in the course of your employment?

Mr. RUBENSTEIN. Almost constantly.

Mr. GRIFFIN. Can you give us a general idea of the area that you travel in?

Mr. RUBENSTEIN. Sure. Now, I cover Michigan. I have covered Wisconsin, Illinois, Minnesota, Iowa, Kentucky, and Tennessee. With different firms but related to the same field.

Mr. GRIFFIN. How long have you been covering Michigan?

Mr. RUBENSTEIN. 11, 12 years.

Mr. GRIFFIN. You said now you cover Michigan. I take it at the present time——

Mr. RUBENSTEIN. This is a new firm I am with.

Mr. GRIFFIN. At the present time you don't cover any State other than Michigan?

Mr. RUBENSTEIN. No; except this. In 1963 the firm I was with in New York, the Lewis Ribbon Co., merged with the International Artware Co. of Cleveland, so I had to go in business for myself. So, I still cover the same territory for myself as I did with Lewis Ribbon Co. in 1963. So I had a lot of money outstanding so I am trying to pick that up little by little as I am traveling through Illinois and eventually will travel through Wisconsin to pick up money I have coming from merchandise I have sold.

Mr. GRIFFIN. When did you leave the Lewis Ribbon Co.?

Mr. RUBENSTEIN. 1963; January 1st.

Mr. GRIFFIN. You say you went into business for yourself?

Mr. RUBENSTEIN. Right.

Mr. GRIFFIN. What business did you go into then?

Mr. RUBENSTEIN. Same business, ribbons.

Mr. GRIFFIN. Were these sold to floral customers?

Mr. RUBENSTEIN. Right. The same customers I had before.

Mr. GRIFFIN. When did you begin to work for the Davidson-Uphoff Co.?

Mr. RUBENSTEIN. Last month.

Mr. GRIFFIN. I see. So between approximately last January and last month or January 1963 and last month, you were employed for yourself, is that correct?

Mr. RUBENSTEIN. Practically.

Mr. GRIFFIN. Practically?

Mr. RUBENSTEIN. I mean because I haven't done much work since the incidents down in Dallas.

Mr. GRIFFIN. I see. When you were employed for yourself did you travel in any States other than Michigan?

Mr. RUBENSTEIN. Yes; Illinois and Wisconsin.

Mr. GRIFFIN. How much of your time was spent in each of those States?

Mr. RUBENSTEIN. For one trip complete? In other words, if I had to make a State complete time, how much time would I spend in that State?

Mr. GRIFFIN. In a typical 3-month period, for example.

Mr. RUBENSTEIN. I could cover a State in 3 months.

Mr. GRIFFIN. Do you recall where you were traveling in the fall of 1963, what State?

Mr. RUBENSTEIN. Yes; I had just come back from Michigan.

Mr. GRIFFIN. Do you remember when you began traveling in Michigan?

Mr. RUBENSTEIN. No; but I could have told you that if I had my records here.

Mr. GRIFFIN. I wanted to get a little background on yourself before we go into some general questions. You say you came to this country when you were about 2½?

Mr. RUBENSTEIN. Yes.

Mr. GRIFFIN. Did you come to Chicago?

Mr. RUBENSTEIN. I don't know. I don't think we did. I think, of course, I think we stopped off in New York, and then I think we came to Chicago. My father was here first.

Mr. GRIFFIN. How long was your father here?

Mr. RUBENSTEIN. He—about a year.

Mr. GRIFFIN. And you say you are not sure where you came to. Did you have a permanent home any place before you moved to Chicago?

Mr. RUBENSTEIN. No.

Mr. GRIFFIN. So your first permanent home in this country was in Chicago and I take it that would have been shortly after you arrived in the country?

Mr. RUBENSTEIN. Yes.

Mr. GRIFFIN. Have you lived in Chicago all your life?

Mr. RUBENSTEIN. Except when I was in the service or where else, except when I travel but outside of—my voting is right here in Chicago, my voting residence.

Mr. GRIFFIN. When were you in military service?

Mr. RUBENSTEIN. From October 1942, until April 1943.

Mr. GRIFFIN. Where did you serve?

Mr. RUBENSTEIN. Fort Lewis, Wash.

Mr. GRIFFIN. Was that in the army?

Mr. RUBENSTEIN. In the army.

Mr. GRIFFIN. Is Fort Lewis near Seattle?

Mr. RUBENSTEIN. Yes.

Mr. GRIFFIN. Do you recall a man when you were in the service by the name of Sloan, a man from Chicago by the name of Sloan?

Mr. RUBENSTEIN. What business was he in or what was he doing?

Mr. GRIFFIN. He would have been in the service out in Seattle, in the Washington area.

Mr. RUBENSTEIN. The name doesn't ring.

Mr. GRIFFIN. Do you recall if your brothers visited you at any time while you were in the service?

Mr. RUBENSTEIN. In the service?

Mr. GRIFFIN. Yes.

Mr. RUBENSTEIN. We were scattered all over the earth.

Mr. GRIFFIN. Was this in the army, your military service?

Mr. RUBENSTEIN. Yes.

Mr. GRIFFIN. And what did you do, what rank did you attain?

Mr. RUBENSTEIN. I was a private. I was at 210 Field Artillery, 33d Division.

Mr. GRIFFIN. You spent all of your time at Fort Lewis?

Mr. RUBENSTEIN. Well, we were 1 day at Rockford, you know, they throw a uniform at you and then they put you on the train and you are on the train for 3 days, and then you wind up at Fort Lewis.

Mr. GRIFFIN. You left the service——

Mr. RUBENSTEIN. No; we were in Yakima for cannon training.

Mr. GRIFFIN. You left the service in 1943?

Mr. RUBENSTEIN. Yes.

Mr. GRIFFIN. What was the reason for your leaving?

Mr. RUBENSTEIN. Overage. They told me they had no more use for me. They apologized, I had a good record. I got an excellent discharge, they were sorry but they wanted a younger man in my place.

Mr. GRIFFIN. What did you do after you left the service?

Mr. RUBENSTEIN. I stayed in Seattle.

Mr. GRIFFIN. How long did you stay there?

Mr. RUBENSTEIN. About 10 weeks.

Mr. GRIFFIN. Then what did you do?

Mr. RUBENSTEIN. I signed up with the U.S. Army Engineers to go to Alaska, to go to work as a carpenter. I felt I wanted to do something. They were going to build barracks out there. I waited and waited and waited and I got tired of waiting, so I asked the company that hired me to release me, because they did not know when I would be put on a boat to go across. The Army would have allowed only two men, civilians, with the regular soldiers to go across Alaska at a time.

Well, I probably would have been there for 4 years waiting yet so I decided to ask for a release, and they gave me a release and I went back to Chicago.

Mr. GRIFFIN. So the 10 weeks you spent waiting?

Mr. RUBENSTEIN. I worked; I worked part time for the Seaboard Lumber Co.

Mr. GRIFFIN. But the reason you were there was because you were waiting to go to Alaska?

Mr. RUBENSTEIN. Definitely. In fact, I had my tools sent to me, my father's tools.

Mr. GRIFFIN. Had you worked as a carpenter before?

Mr. RUBENSTEIN. Never.

Mr. GRIFFIN. And on your return to Chicago what did you do?

Mr. RUBENSTEIN. I took odd jobs, whatever I could get to make a buck, you know, salesman on the road. I am trying to think what I sold, novelties, premiums, different things that you could get. A lot of items you couldn't get, there was a scarcity, so you sold what you could obtain from different companies or different friends who were in business.

Mr. GRIFFIN. Did you work for any particular company?

Mr. RUBENSTEIN. I am trying to think. I can't think of any particular company I worked for. I probably bought stuff myself and sold it on the road.

Mr. GRIFFIN. I have in front of me your social security, a summary of your social security record. Do you remember working for the Arlington Park Jockey Club?

Mr. RUBENSTEIN. Oh, yes.

Mr. GRIFFIN. When was that?

Mr. RUBENSTEIN. Ben Lindheimer—how did that work out, I am trying to think. I worked there just before I got in the service, and then I was drafted, that was the last job I believe I had at the Arlington Park Jockey Club.

Mr. GRIFFIN. Your social security record indicates that you worked for the Arlington Park Jockey Club in 1943.

Mr. RUBENSTEIN. Then I probably went back there.

Mr. GRIFFIN. In fact all of 1943, and in 1942 with the exception of the fourth quarter of 1942.

Mr. RUBENSTEIN. I was in the army for 6 months, how could that possibly be?

Mr. GRIFFIN. I see. When did you go in the army in 1942?

Mr. RUBENSTEIN. October.

Mr. GRIFFIN. October. And when were you separated from the service in 1943?

Mr. RUBENSTEIN. About April.

Mr. GRIFFIN. Well, that would be understandable.

Mr. RUBENSTEIN. Is it October? Because I know I was in the service for 6 months. That I am positive of.

Mr. GRIFFIN. Now do you recall when you left the service coming back to work for the Arlington Park Jockey Club?

Mr. RUBENSTEIN. I don't recall but I probably did.

Mr. GRIFFIN. What did you do for them?

Mr. RUBENSTEIN. You are a ticket puncher like he is doing now. You come over and ask for number two I gave you number two. You ask for number five, I gave you number five.

Mr. GRIFFIN. You worked in the mutuel window?

Mr. RUBENSTEIN. Yes, mutuel window.

Mr. GRIFFIN. Your record here indicates that you didn't have any employment covered by social security from 1944 to early 1949.

Mr. RUBENSTEIN. Then——

Mr. GRIFFIN. What were you doing during that period after you left the Washington Park Jockey Club, and actually the last place you worked at the National Jockey Club.

Mr. RUBENSTEIN. I don't know about the names of the jockey club but I worked at the racetrack for a while as a mutuel ticket seller.

As I said before, and I am repeating again, that I bought what I could and sold on the road for myself, and I made a living that way.

Mr. GRIFFIN. I see.

It is my understanding you were selling novelties?

Mr. RUBENSTEIN. Novelties, premiums, punchboards, that is about it. That covers a lot of territory.

Mr. GRIFFIN. What part of the country did you travel in when you were doing that?

Mr. RUBENSTEIN. I covered the Middle West.

Mr. GRIFFIN. Did you cover any of the South?

Mr. RUBENSTEIN. No. I never cared much for the South.

Mr. GRIFFIN. Do you recall in the latter part of 1949 working in Ripley, Ohio?

Mr. RUBENSTEIN. Yes.

Mr. GRIFFIN. What did you do there?

Mr. RUBENSTEIN. I was a bartender for a friend of mine, Bob Knoff. He owned a tavern, the Riviera Cafe at Front and Main Streets, and Bob said to me, I came down to visit him and he said "What are you doing?" And I said, "Bumming around, making a few bucks selling items." He said, "I need a bartender. Help me out for a while." I said, "OK." So I stayed with him, I don't know, for about a year, about a year or so, about a year, I think.

Mr. GRIFFIN. 6 months.

Mr. RUBENSTEIN. All right, 6 months. I don't remember. 1949. Then I went back to Chicago. I fixed a few things for him.

Mr. GRIFFIN. What did you do after you worked for Mr. Knoff?

Mr. RUBENSTEIN. What year was that, 1949?

Mr. GRIFFIN. 1949, 1950.

Mr. RUBENSTEIN. I went back to my own business again, I think.

Mr. GRIFFIN. Let me just ask you if you remember working for some of these companies and then I will ask you some general questions.

Do you remember working for the Fisher Pen Co.?

Mr. RUBENSTEIN. Yes.

Mr. GRIFFIN. Was that a—

Mr. RUBENSTEIN. Paul Fisher is a very dear friend of mine, salesman.

Mr. GRIFFIN. Chicago Cardboard Co.?

Mr. RUBENSTEIN. That is the punchboard outfit I told you about, Chicago Cardboard was a punchboard outfit and Paul Fisher, I covered Chicago territory for him.

Mr. GRIFFIN. When you worked for the punchboard company where did you travel?

Mr. RUBENSTEIN. Wisconsin.

Mr. GRIFFIN. How about the Parliament Sales Corp., do you remember working for them?

Mr. RUBENSTEIN. I sold television sets for them only in Chicago.

Mr. GRIFFIN. How about the Enterprise Contract Consultants, do you remember working for them?

Mr. RUBENSTEIN. I don't even know who they are.

Mr. GRIFFIN. They were located on Milwaukee Avenue in Chicago.

Mr. RUBENSTEIN. That is the same thing, must be.

Mr. GRIFFIN. Same thing?

Mr. RUBENSTEIN. I think it was the same outfit.

Mr. GRIFFIN. Just changed the name?

Mr. RUBENSTEIN. Could be. You never can tell about those outfits. Oh, they had to change their name, I believe, because they were using the word "Paramount."

Mr. GRIFFIN. Parliament.

Mr. RUBENSTEIN. And they changed it to Parliament to make it sound like Paramount because Paramount wouldn't let them use their name.

What is this Enterprise deal?

Mr. GRIFFIN. I don't know, that is why I am asking you.

Mr. RUBENSTEIN. I don't recall, either. How long did I work there?

Mr. GRIFFIN. About 6 months.

Mr. RUBENSTEIN. What did they make?

Mr. GRIFFIN. That is what I am asking.

Mr. RUBENSTEIN. Were they located on Milwaukee Avenue?

Mr. GRIFFIN. Yes.

Mr. RUBENSTEIN. Then it must be the same outfit.

Mr. GRIFFIN. Who were the people who ran it?

Mr. RUBENSTEIN. One fellow was a nice guy and I still see him occasionally in Chicago, Oscar Fishbein, he is president of the firm, I believe, and I still believe he is still in business.

Mr. GRIFFIN. How about the G.T. & I.T. Drake Co.?

Mr. RUBENSTEIN. That was in 1950.

Mr. GRIFFIN. 1952.

Mr. RUBENSTEIN. 1952. I bought a suburban carryall from a friend of mine by the name of Harry King.

Mr. GRIFFIN. Carryall or carryout?

Mr. RUBENSTEIN. Carryall. It is called a suburban carryall. It is a car that is designed to carry all, with glass all around it, and it looked like a small truck where the doors opened up in back like this so you could load and unload easily. I saw an ad in the paper, this Drake outfit, the restaurant outfit, \$100 a week, and \$100 a week in 1952, gentlemen, is a lot of money.

So, here is how it worked. I delivered, unloaded, and loaded food items for, they paid me \$60 a week and \$40 for the car expense that was \$100 a week. It was a hard job but I took it because it paid well. That was it.

Mr. GRIFFIN. Do you remember working for Miracle Enterprises?

Mr. RUBENSTEIN. Miracle?

Mr. GRIFFIN. Do you remember them?

Mr. RUBENSTEIN. Never heard of them.

Mr. GRIFFIN. Would it have been another name for Parliament Sales?

Mr. RUBENSTEIN. It could have been. What address?

Mr. GRIFFIN. What did you do after you worked for the Drake Co., who did you work for?

Mr. RUBENSTEIN. I went to work for the Lewis Ribbon Co.

Mr. GRIFFIN. Do you remember going back to work for a few months for Fishbein?

Mr. RUBENSTEIN. I don't remember.

Mr. GRIFFIN. Then I take it, you worked for the Lewis Ribbon Co., just simply tell me if this is correct, from early 1953 until you left them.

Mr. RUBENSTEIN. Ten years.

Mr. GRIFFIN. In January of 1964.

Mr. RUBENSTEIN. Ten years.

Mr. GRIFFIN. How did you happen to leave them?

Mr. RUBENSTEIN. They merged with the International Artware of Cleveland and they sold out. My territory was already absorbed by International's men. In fact, they had three men in my three states and they had no room for me and felt rather bad about it because I am a rather conscientious worker, I like people, I don't have trouble selling them legitimate merchandise and I liked the work and I was doing pretty good and they felt very bad. They promised me as soon as there was an opening they would let me know. So that is the story.

Mr. GRIFFIN. I am going to go back a few years more now. Was your childhood spent in Chicago?

Mr. RUBENSTEIN. Yes.

Mr. GRIFFIN. And I take it you went to school in Chicago?

Mr. RUBENSTEIN. Yes.

Mr. GRIFFIN. How far did you go in school?

Mr. RUBENSTEIN. I had a couple of years of college.

Mr. GRIFFIN. Of college. Where did you go to college?

Mr. RUBENSTEIN. The YMCA Junior College.

Mr. GRIFFIN. In Chicago?

Mr. RUBENSTEIN. In Chicago, and the Lewis Institute.

Mr. GRIFFIN. What kind of courses did you take?

Mr. RUBENSTEIN. General courses. I was studying prelaw. I wanted to become a lawyer.

Mr. GRIFFIN. When did you attend these institutions?

Mr. RUBENSTEIN. I would say around 1933, 1934, 1935, 1936.

Mr. GRIFFIN. So you were working at the same time?

Mr. RUBENSTEIN. Working at the same time.

Mr. GRIFFIN. Now, going back to your earlier childhood, how many years of continuous formal education did you have until you left school the first time?

Mr. RUBENSTEIN. Well, I graduated high school.

Mr. GRIFFIN. So you graduated from high school, and then what did you do after you graduated from high school?

Mr. RUBENSTEIN. I took whatever job I could to sustain myself and help out the family once in a while when I could.

Mr. GRIFFIN. What year would it have been that you graduated from high school?

Mr. RUBENSTEIN. I graduated in February 1922 from Hyde Park High.

Mr. GRIFFIN. Where was your family living at that time?

Mr. RUBENSTEIN. They were separated. The folks were living, my mother was living, with the children, I think on the west side, and I was living on the south side.

Mr. GRIFFIN. Were you living with any other members of your family?

Mr. RUBENSTEIN. No.

Mr. GRIFFIN. How long had you been separated from the family?

Mr. RUBENSTEIN. I left home when I was, right after I graduated grammar school, when I was about 15. That was in 1916, around 1916 or 1917.

Mr. GRIFFIN. Where did you go to live.

Mr. RUBENSTEIN. I went to the Deborah Boys Club.

Mr. GRIFFIN. How long did you live there?

Mr. RUBENSTEIN. About 3 years.

Mr. GRIFFIN. What kind of place was that?

Mr. RUBENSTEIN. It was a club for boys who had no home, but they had to work or go to school. I did both. I worked after school.

Mr. GRIFFIN. You lived there for about 3 years?

Mr. RUBENSTEIN. I would say about 3 years.

Mr. GRIFFIN. Until you were about 18, I take it?

Mr. RUBENSTEIN. Yes.

Mr. GRIFFIN. 15 to 18. But you say you finished high school in 1922. What did you do after you left the Deborah Boys Club?

Mr. RUBENSTEIN. I got, I believe I got a room with another fellow at 4907 Vincennes Avenue, and worked after school, and I continued going to school and worked, whatever I could do after school. Some jobs were easy and some jobs were tough.

Mr. GRIFFIN. How long did you live with this other fellow?

Mr. RUBENSTEIN. Until I graduated.

Mr. GRIFFIN. Until about 1922?

Mr. RUBENSTEIN. I would say that.

Mr. GRIFFIN. During this period from 1916 until 1922, when you returned to the family home, what contact did you have with your family?

Mr. RUBENSTEIN. I used to see them, used to go over there, bring them different things, try to talk to the kids, and see that they tried to get along and have what they needed.

Mr. GRIFFIN. How did you happen to go to live at the Deborah Boys Club?

Mr. RUBENSTEIN. I had a fight at home and my father wanted me to go to work and I wanted to go to school because I knew I had to have some education. But with eight children I could see his point but yet I wanted to look out for myself, and I probably was advised by some of my friends that I should leave home, and I did, and through some agency, I don't remember how, they suggested it would be best for me if I left home and they found this place for me, and so I was admitted.

Mr. GRIFFIN. Do you remember if any juvenile court proceedings were instituted?

Mr. RUBENSTEIN. It could have been. It is possible. It is possible there were some juvenile court proceedings, it is a long time ago.

Mr. GRIFFIN. Who instituted those proceedings?

Mr. RUBENSTEIN. I don't remember. Probably the family service on the west side in Chicago through my mother's complaints to this association about my father.

Mr. GRIFFIN. Were you having some difficulty with your father at that time?

Mr. RUBENSTEIN. Oh, yes.

Mr. GRIFFIN. Can you tell us about it?

Mr. RUBENSTEIN. I just wanted to go to school, and he thought I should go to work.

Mr. GRIFFIN. Well, do you recall an incorrigibility proceeding being instituted against you?

Mr. RUBENSTEIN. Me?

Mr. GRIFFIN. Yes.

Mr. RUBENSTEIN. Incorrigibility?

Mr. GRIFFIN. Yes.

Mr. RUBENSTEIN. I don't remember any such case.

Mr. GRIFFIN. Would it have been about May of 1916 that you went to live at the Deborah Boys Club?

Mr. RUBENSTEIN. No, no; it was after I graduated grammar school, and I graduated in 1917.

Mr. GRIFFIN. I see. So you would have been 16 or 17 when you went to live at the Deborah Boys Club?

Mr. RUBENSTEIN. No; it was right after I graduated from grammar school.

Mr. GRIFFIN. Well, you say 1917.

Mr. RUBENSTEIN. Yes; I was only 15½ when I graduated.

Mr. GRIFFIN. You were born in 1901?

Mr. RUBENSTEIN. Yes; close to 1902, though, you see.

Mr. GRIFFIN. You don't recall any juvenile court proceedings against you in the early part of 1916, in May of 1916.

Mr. RUBENSTEIN. I don't.

Mr. GRIFFIN. Do you recall being under the supervision of a probation officer?

Mr. RUBENSTEIN. Yes.

Mr. GRIFFIN. All right, tell us about that.

Mr. RUBENSTEIN. I don't remember it.

Mr. GRIFFIN. Do you remember anything about the supervision, what did you have to do?

Mr. RUBENSTEIN. Nothing.

Mr. GRIFFIN. You didn't have to report?

Mr. RUBENSTEIN. Well, maybe I had to report but I don't remember what the incident was. I don't remember who the supervisor was or what I had to do to report.

Mr. GRIFFIN. You don't remember how the proceeding was instituted, who instituted, the proceeding against you?

Mr. RUBENSTEIN. I don't remember. It is almost 50 years ago.

Mr. GRIFFIN. Now, did you return to the family in 1922?

Mr. RUBENSTEIN. I think I did. I wanted to stay with the family to see what I could do to keep them together.

Mr. GRIFFIN. During the period that you were away from the family were other members of the family also separated?

Mr. RUBENSTEIN. Yes; I think Earl and Sammy went to live on a farm. Jack went to live on the north side, northwest side. I don't know about the girls. I don't remember about the girls.

Mr. GRIFFIN. Do you recall who Jack went to live with?

Mr. RUBENSTEIN. No; but it was a very nice family on the northwest side. That is where he met a lot of his northwest-side friends.

Mr. GRIFFIN. Can you be more precise about the northwest side?

Mr. RUBENSTEIN. No; I couldn't because I don't know.

Mr. GRIFFIN. Your mother was maintaining a home while you were at the boys club. Where was her home at the time?

Mr. RUBENSTEIN. We moved to so many places, I wouldn't know exactly, on the west side.

Mr. GRIFFIN. On the west side?

Mr. RUBENSTEIN. Yes; but I don't remember the addresses.

Mr. GRIFFIN. Would it be northwest?

Mr. RUBENSTEIN. No; straight west, around Roosevelt Road, that would be the best specific spot that I can give you.

Mr. GRIFFIN. Did you, during your childhood while the family was together, did you always live around Roosevelt Road?

Mr. RUBENSTEIN. Yes.

Mr. GRIFFIN. Did you always live in the same ward? Do you remember in terms of wards where you lived?

Mr. RUBENSTEIN. No; it could be divided between the 24th ward and the 29th ward.

Mr. GRIFFIN. I see.

Mr. RUBENSTEIN. And one ward crossed the other, the boundary lines.

Mr. GRIFFIN. All right. When you did return home about 1922 was your father living in the home at that time?

Mr. RUBENSTEIN. No.

Mr. GRIFFIN. When did your father finally come back to the home?

Mr. RUBENSTEIN. I don't remember when he came back. I think he came back after my mother died.

Mr. GRIFFIN. When you returned to the home, did all the rest of the children return at that time?

Mr. RUBENSTEIN. Yes.

Mr. GRIFFIN. So the family was brought back together somehow?

Mr. RUBENSTEIN. Yes.

Mr. GRIFFIN. How did that come about?

Mr. RUBENSTEIN. I couldn't tell you.

Mr. GRIFFIN. Who was supporting the family by 1922?

Mr. RUBENSTEIN. My father, I think, was giving \$10 a week, and the girls were working, I was working, and we tried to keep the rest of the kids in school.

Mr. GRIFFIN. Can you tell us—first of all, let me ask you, after 1922, prior to the time you went into the service, were there any periods when you weren't living in the family home?

Mr. RUBENSTEIN. When I wasn't living in the family home?

Mr. GRIFFIN. Yes.

Mr. RUBENSTEIN. After 1922?

Mr. GRIFFIN. Yes.

Mr. RUBENSTEIN. No; I think I stayed home. I thought it my duty, I believe, to stay home. I think it was that way. I think I felt an obligation to take care, help take care of the family because my father wasn't living with us.

Mr. GRIFFIN. Did Jack, do you recall when Jack left school?

Mr. RUBENSTEIN. He went to high school, I think, for 1 year. I believe he went 1 year.

Mr. GRIFFIN. How did he come to leave school?

Mr. RUBENSTEIN. I don't know. We often wonder ourselves because Jack is no dummy. He has got a good head on him. I don't think he liked school, let's put it that way. That would be honest. He just did not like school, that is all there was to it.

Mr. GRIFFIN. Are there any incidents that you can recall which would indicate that?

Mr. RUBENSTEIN. He wouldn't do his homework, that is a good enough incident.

Mr. GRIFFIN. How about his companions during that period?

Mr. RUBENSTEIN. He had nice friends. He always had, because Jack was a little bit choosy about his friends, I mean it. He always had nice friends, fellows who either they were doctors' sons or boys in the neighborhood that respected Jack, and Jack was more progressive than the rest of us, was a hustler.

Anything that he could go out and sell and make a dollar, legitimately, even if he had to go on the road, and sell items, he was always trying to work, always tried to—he wouldn't have a steady job, but he was always on the go thinking of ideas of how to make a dollar and helping the family.

Mr. GRIFFIN. Do you remember when he left school what he first started to do?

Mr. RUBENSTEIN. That is a good question. I imagine—let me think what he did do. I think he scalped a few tickets during the fights. All the kids used to do that to try to make an extra buck. That is the only revelation that I have in my mind, but as far as a steady job was concerned, no. Jack never cared for no steady jobs.

Mr. GRIFFIN. How did this particular ticket scalping work, where would he get the tickets?

Mr. RUBENSTEIN. Let's say he borrowed \$20 from some friend who had \$20. Two days before the fight he would buy \$20 worth of tickets, and then if the fight was a sellout, he would sell the tickets for maybe 50 cents or a dollar more than what he paid for the ticket and people would be glad to pay him for it on the outside. So, he would make himself \$5 or \$6, and \$5 or \$6 during those years would go a long way.

Mr. GRIFFIN. Would he buy these tickets at the box office or would there be somebody else who would go in and buy up a big block of them?

Mr. RUBENSTEIN. No; he would go to the box office himself.

Mr. GRIFFIN. Let's get back to your own activities a bit. Can you tell us generally what you did from the time you got out of high school in 1922 until you went into the service in 1942?

Mr. RUBENSTEIN. I drove a cab for a while, I worked in a drugstore for a while, worked for Albert Pick and Company, they were a big hotel supply house on 35th Street.

Mr. GRIFFIN. What did you do for them?

Mr. RUBENSTEIN. I was an assistant buyer, I want you to know, and I liked it, it was interesting. I was in politics for a good many years.

Mr. GRIFFIN. Can you tell us about that?

Mr. RUBENSTEIN. Sure. It was during my Deborah Boys Club days, I met a man by the name of Morris Feiwell, who took a liking to me, and he encouraged me to finish school, like a sponsor, you know, and when I graduated he says, "You come on downtown and talk to me. What do you want to be?" I says, "I don't know." He says, "Do you like to study continuously?" And frankly, I didn't. He said, "Well, don't study law. I was going to put you through law school but if you don't like to study continuously after you learn a profession, don't study law." And through him I met many big political men in Chicago, because Mr. Feiwell was associated to our ex-Governor Henry Horner. Henry Horner was probate judge of Cook County, and a probate judge in Cook County is the biggest judge in the area because he took care of 5 million people probating wills.

The judge took a liking to me because we done certain things, running errands for him, distributing literature for the campaigns—then I met different people, I met Ben Lindheimer. Ben Lindheimer was a big man in Chicago, owned Arlington Park and Washington Park racetracks later on.

He finally became chairman of the Illinois Commerce Commission and also president of the Board of Local Improvements in Chicago. So, I got a job as a sidewalk inspector. That is when I decided to go back to school, because the job as a sidewalk inspector was a political job, sponsored by Ben Lindheimer.

Mr. GRIFFIN. That would have been in the 1930's sometime.

Mr. RUBENSTEIN. Yes; 1932 or 1933, right. So, I figured why should I waste my time. I can take care of my job and go to school, and I did that. I tried to get my prelegal training there. Then in 1932 the judge ran for governor. Ben Lindheimer became president of the—not president, chairman of the Commerce Commission, Illinois Commerce Commission. He took me with him. I became a warehouse investigator. I was there for 8 years.

Mr. GRIFFIN. Warehouse investigator for the Illinois Commerce Commission?

Mr. RUBENSTEIN. Right.

Mr. GRIFFIN. For 8 years?

Mr. RUBENSTEIN. Right.

Mr. GRIFFIN. What period of time did this cover?

Mr. RUBENSTEIN. I would say from 1932 to 1941. When the administration changed I was let go.

Mr. GRIFFIN. Were your duties in Chicago or elsewhere?

Mr. RUBENSTEIN. In Chicago; no, the entire State. I had to cover quite a bit of the State of Illinois inspecting warehouses that were licensed by the Illinois Commerce Commission, and storage houses.

Mr. GRIFFIN. What would your duties as an inspector involve?

Mr. RUBENSTEIN. Just to see everything was orderly, clean, fire extinguishers, clean, clean aisles, nothing to clutter up, so as to prevent fires, fire doors, to prevent internal combustion, different things like that.

Mr. GRIFFIN. Now, during this period that you were with the Illinois Commerce Commission, were you politically active?

Mr. RUBENSTEIN. Yes. Since I had no civil service connections, I was politically active.

Mr. GRIFFIN. Before that period, were you politically active?

Mr. RUBENSTEIN. Yes; in the local area.

Mr. GRIFFIN. Was this Democratic or Republican politics?

Mr. RUBENSTEIN. Democratic.

Mr. GRIFFIN. Now—

Mr. RUBENSTEIN. The whole family was Democratic.

Mr. GRIFFIN. Would you tell us about how you happened to meet—I take it Mr. Feiwell was the way you got—made your political connections?

Mr. RUBENSTEIN. Indirectly, not directly, indirectly.

Mr. GRIFFIN. First of all, tell us how you happened to know Mr. Feiwell.

Mr. RUBENSTEIN. He used to come down to the club and give us talks.

Mr. GRIFFIN. What club was that?

Mr. RUBENSTEIN. The Deborah Boys Club.

Mr. GRIFFIN. I see. And what sort of work did Mr. Feiwell do?

Mr. RUBENSTEIN. He was a big lawyer in Chicago.

Mr. GRIFFIN. He took a liking to you?

Mr. RUBENSTEIN. He wanted to encourage me because I was working my way through high school and he tried to help out all the boys that he possibly could.

Mr. GRIFFIN. And he made introductions of you to people in politics?

Mr. RUBENSTEIN. As I said before indirectly. Let me give you one example.

Mr. GRIFFIN. Yes.

Mr. RUBENSTEIN. When Henry Horner ran for probate judge in 1928, I believe, Mr. Feiwell was one of the men in charge of the campaign. So he didn't have too much time, so I helped him whatever I could do. If we had a special meeting for fund raising, I would line up the hall, get the chairs, see that everything was ready made for the meeting, got coatsacks and hatsacks for the men for the meeting and they all got to know me that way, and so I became officially the sergeant-at-arms, and so that is how they got to know me. If they wanted something before they sat down, they told me if they get a telephone call, "Call me out" or if there was a call I could spot the man right away and tell them there was a call from out of the hall. Different things like that, that is how I got acquainted.

Later on I became more important because I knew the ropes a little bit because I knew what to do without their telling me everything. I knew how to pick up the printing, how to distribute the literature in the different wards and so forth.

Mr. GRIFFIN. Were you active in any particular ward yourself or were you in the downtown headquarters?

Mr. RUBENSTEIN. Mostly the downtown headquarters.

Mr. GRIFFIN. Were you ever on the payroll of the downtown headquarters?

Mr. RUBENSTEIN. Yes. I was on the payroll for downtown headquarters. One year, when Adlai Stevenson was running, I was connected with the downtown Democratic headquarters at the Morrison Hotel.

Mr. GRIFFIN. Was this after World War II?

Mr. RUBENSTEIN. Yes. And they didn't pay me much, but I was glad to help out. I think they were paying me \$25 a week.

Mr. GRIFFIN. Prior to World War II, were you ever on a salary or payroll for any Democratic club?

Mr. RUBENSTEIN. No. Only with the job that I had.

Mr. GRIFFIN. So your political activities prior to World War II were on a voluntary basis and would have been in your spare time apart from your other job?

Mr. RUBENSTEIN. Yes. Unless the big men in Chicago once in a while if they had me do an errand purposely slipped me a \$5 bill because they knew I earned it.

Mr. GRIFFIN. Did you ever have occasion during that period to do any favors for Jack?

Mr. RUBENSTEIN. What Jack, my brother?

Mr. GRIFFIN. Your brother Jack.

Mr. RUBENSTEIN. Yes. He got in a fight one time with a policeman for scalping tickets, and so I had to go to court for him.

Mr. GRIFFIN. When was that?

Mr. RUBENSTEIN. I don't know but that was dropped. That is the only time that I can remember when Jack actually got in trouble where you might say was minor. Never before.

Mr. GRIFFIN. Did you ever have any occasion to help him get a license or anything?

Mr. RUBENSTEIN. Yes.

Mr. GRIFFIN. Tell us about that.

Mr. RUBENSTEIN. I will never forget that as long as I live. Since I was connected in politics, the man in charge of the vending licenses in the city of Chicago was a new man, and I didn't mean to take advantage of him.

My brother came to me one day in early December one year, "Hy." "Yes." "I would like to get a license for selling novelties on the street at 63d and Halstead."

You gentlemen must realize that 63d and Halstead is a business district where no such thing was ever before done because they have their own business association and no peddlers were allowed on the street, they have got their stores to worry about. So, I went up to this fellow, who I got to know very well, and he said, "What can I do for you, Hymie?" I said, "I have got to have a license for my kid brother." "Sure, for Christmas?" "Yes." "What is he going to sell?" "I don't know. Probably toys or gimmicks or whatever he can put on a stand, you know, on the sidewalk and sell." As long as he got a permit they can't bother him. He says, "What corner do you like?" So, I gave him the corner of 63d and Halstead. You don't know, I almost started a small war and they couldn't do nothing to Jack because he had that permit. The business people came downtown and they raised particular hell with the guy in charge at the license department, and he couldn't understand it.

Then he calls me, I think I was working at the time for some department in the city. He said, "Do you realize what you done to me?" I said, "What did I do to you?" He says, "You almost got me fired." It was really funny.

Mr. GRIFFIN. When was that?

Mr. RUBENSTEIN. I don't know. I can't remember but I will never forget that incident, and Jack felt like a hero. He has got a permit. They can't do him nothing. The police even tried to chase him off. He says, "You can't chase me off, here is my permit," and the policeman told these people downtown at 63d and Halstead, he says, "The man has got a permit. What am I supposed to do, get myself in a jam?" But they finally had to get him off. They finally realized they made a mistake.

Mr. GRIFFIN. This was in the Christmas season?

Mr. RUBENSTEIN. Yes; during the Christmas holidays when everybody tries to make a buck for the holidays selling Christmas novelties or toys or gimmicks on the street, you know. It was terrific. I will never forget that. That is the kind of a guy Jack was. When he wanted a permit he used to get one.

Mr. GRIFFIN. Do you recall any other episodes of that nature?

Mr. RUBENSTEIN. There could have been but this was the greatest. It is a wonder I didn't get fired. I will never forget that.

Mr. GRIFFIN. Were you working for the Illinois Commerce Commission at that time?

Mr. RUBENSTEIN. I think I was at that time because that was the longest job I had with the city outside of being with the Board of Local Improvements for a couple of years.

Mr. GRIFFIN. When was that?

Mr. RUBENSTEIN. Before the Commerce Commission.

Mr. GRIFFIN. You mention the period 1932 to 1941 as the Commerce Commission. Are you clear in your mind that that is when you did start there, in 1932?

Mr. RUBENSTEIN. When Horner got in, I think it was 1932.

Mr. GRIFFIN. And before that you worked for?

Mr. RUBENSTEIN. The Board of Local Improvements for a couple of years, sidewalk investigator.

Mr. GRIFFIN. So that would have taken you back to 1930 perhaps?

Mr. RUBENSTEIN. About 1930 or even 1929. I will tell you why. As long as we had connections in Chicago and things were tough, you know 1929 was a bad year, you wouldn't remember, but I would, as long as you had a letter from somebody downtown they were reevaluating all the real estate in Cook County.

Now, you know that is a tremendous job, fellows, and so I got on. They weren't paying us too much in salary, but every morning I had to meet two real estate men, and I measured the buildings, the length and the width and the lot, and the stories and we gave a legal description of the building, reevaluation. That kept on for about a year. That was a pretty good job with the Board of Review.

So that also kept a lot of us fellows from starving. That was before the Board of Local Improvements. In the meantime I still kept my fingers in the politics on the good side with the Democrats in Chicago.

Mr. GRIFFIN. Before you worked for the Board of Local Improvements did you have any government or city or political jobs before that?

Mr. RUBENSTEIN. I am telling you that was it.

Mr. GRIFFIN. That was the first one. The Board of Local Improvements was the first one?

Mr. RUBENSTEIN. No, the Board of Review.

Mr. GRIFFIN. So you worked for the Illinois Commerce Commission in 1932, you worked for the Board of Local Improvements——

Mr. RUBENSTEIN. About 1930, and 1929 or 1928, I believe I worked for the Board of Review.

Mr. GRIFFIN. All right. Now, between approximately 1922 when you got out of school and 1928 what did you do during that period?

Mr. RUBENSTEIN. Worked as a cab driver, worked in a drugstore. I went on the road as a salesman in 1925.

Mr. GRIFFIN. Who did you sell for?

Mr. RUBENSTEIN. The Plymouth Rubber Co. of Canton, Mass.

Mr. GRIFFIN. What did you sell?

Mr. RUBENSTEIN. Rubber heels to shoemakers.

Mr. GRIFFIN. Where did you travel?

Mr. RUBENSTEIN. All over the United States.

Mr. GRIFFIN. How long did you do that?

Mr. RUBENSTEIN. A couple of years, I think.

Mr. GRIFFIN. How did you happen to leave that job?

Mr. RUBENSTEIN. I was a missionary man. They broke me in, they tried to make a salesman out of me and they did, because I done a good job for them and I worked hard. I liked it, I liked it for two reasons. Traveling and selling and when you can sell you felt like a moral victory, you felt that you had a station in life, something to do. The job just ended. I covered the territory they wanted me to cover. I went from Chicago to the west coast, Vancouver, Canada, all over the west coast, all through the Middle West. I don't think I covered—no, never went south. I didn't go south, no. We didn't cover it. We just covered the west, kept on going west and west and over to the west coast and up to Vancouver.

Mr. GRIFFIN. Let's now shift the focus a little bit and rather talk about yourself. Now let me ask you some questions about your family, your early family life.

Was there any discussion in your home as a child of the background of your parents—where they had come from, what they had done before they had come to this country?

Mr. RUBENSTEIN. My father was a soldier in the Russian Army for about 7 years. If you know the history of the Russian people, one member of each family must serve, one member. My father was elected to serve.

Mr. GRIFFIN. Let's just talk about your father for a minute.

As you understand it where was your father born?

Mr. RUBENSTEIN. Sokolov, a small town outside of Warsaw.

Mr. GRIFFIN. What kind of family did he come from, do you have any idea?

Mr. RUBENSTEIN. Very nice family, good reputation. His father before him was a carpenter, his brother Abraham was a carpenter. Very well respected.

Mr. GRIFFIN. How many brothers and sisters did he have?

Mr. RUBENSTEIN. I don't know, I don't know.

Mr. GRIFFIN. Did any of his family come to the United States other than him?

Mr. RUBENSTEIN. His brother.

Mr. GRIFFIN. Abraham? When did Abraham come?

Mr. RUBENSTEIN. I don't know.

Mr. GRIFFIN. Before or after your father?

Mr. RUBENSTEIN. I think after.

Mr. GRIFFIN. Is Abraham still alive?

Mr. RUBENSTEIN. No.

Mr. GRIFFIN. Does he have a family that is still living?

Mr. RUBENSTEIN. Yes; he has a son, a doctor, Dr. Hyman Rubenstein, and he has got about three or four sisters, very nice, family.

Mr. GRIFFIN. Where do they live?

Mr. RUBENSTEIN. On the north side.

Mr. GRIFFIN. They are living in Chicago?

Mr. RUBENSTEIN. In Chicago.

Mr. GRIFFIN. Did you see this family from time to time as you were children?

Mr. RUBENSTEIN. Very, not as regularly as we should. We should have seen them oftener but we didn't.

Mr. GRIFFIN. About how often would you say?

Mr. RUBENSTEIN. Once a year.

Mr. GRIFFIN. Was your father trained as a carpenter?

Mr. RUBENSTEIN. Yes; in the army.

Mr. GRIFFIN. How old was he when he went in the army?

Mr. RUBENSTEIN. He was a young man, very young.

Mr. GRIFFIN. Do you know what rank he attained?

Mr. RUBENSTEIN. According to the thing on his hat for the uniform it was a No. 2, and he always used to get in trouble with the captain, but he always would get right with the captain's wife, he would always make something for her, a cradle or a chair or something to even up the score.

Mr. GRIFFIN. Did he tell you any of his adventures, where he was?

Mr. RUBENSTEIN. He was in China, but he didn't like it. He was in Korea and he didn't like it. He was in Siberia and he hated it most of all. He broke away from the army.

Mr. GRIFFIN. How did he happen to leave?

Mr. RUBENSTEIN. He just left; walked away, walked away; went over to England; from England he went to Canada; from Canada he came to the United States.

Mr. GRIFFIN. Now, when he married your mother was he in the service?

Mr. RUBENSTEIN. He was in the service; in fact I and my sister were born when he left Europe.

Mr. GRIFFIN. You mean you were born after he left Europe?

Mr. RUBENSTEIN. No.

Mr. GRIFFIN. You had been born when he left Europe?

Mr. RUBENSTEIN. My sister and I.

Mr. GRIFFIN. That is the oldest?

Mr. RUBENSTEIN. That is the oldest sister.

Mr. GRIFFIN. She is Ann Volpert?

Mr. RUBENSTEIN. Right.

Mr. GRIFFIN. Do you know where you and your mother stayed when your father left?

Mr. RUBENSTEIN. Probably in Warsaw.

Mr. GRIFFIN. Do you know any reason why you did not accompany him?

Mr. RUBENSTEIN. Well, the only reason I can give you is he had to get away first. He didn't want the army to find him.

Mr. GRIFFIN. He was really escaping from the army?

Mr. RUBENSTEIN. Right. He didn't want any more of it. He had it. And I think there was a Japanese war going to break out there any day, and he didn't want no part of that so he just broke away.

Mr. GRIFFIN. Do you know if, did he ever mention whether religious problems were a reason, any factor in his leaving or do you have the impression it was strictly his dislike for the military service that caused him to leave?

Mr. RUBENSTEIN. Well, you know Jews in the Russian Army is a tough proposition, a very minority race and he probably didn't like that, either.

Mr. GRIFFIN. He never mentioned that to you?

Mr. RUBENSTEIN. No, he wouldn't anyway. I don't think he is the type of a man who would mention things like that. He always felt that he belonged. We, the Jewish problem was never really brought up. We felt like if you did you were a coward. The Jewish problem was always kept to ourselves. Even

when I went to high school there wasn't too many Jewish people there but we tried to belong. We tried to face it.

Mr. GRIFFIN. And your father; I take it from what you say, was very much this kind of a man that he didn't outwardly voice any feelings of sensitivity or separation because of the fact that he was Jewish in a——

Mr. RUBENSTEIN. I doubt it. I doubt if he would have said anything. No, not with him. But if you asked me that about somebody else in our family——

Mr. GRIFFIN. How about your mother?

Mr. RUBENSTEIN. No, no; I don't think she—she just wanted to look out for my welfare. My mother was very much interested in the welfare, how we got along, how we got along at school and how our progress was going with us in Chicago.

Mr. GRIFFIN. Now, I take it from what you say also that if your father had any family back in Europe once he came to this country he didn't maintain contact with them?

Mr. RUBENSTEIN. I don't think he ever got one letter. I don't remember ever hearing a word of his family in Europe; not one word. We would have known about it. If he heard anything about the family indirectly it was through somebody else. Somebody else from his home town might have gotten a letter and mentioned the fact that so and so——

Mr. GRIFFIN. Did he go into the service with any of his brothers?

Mr. RUBENSTEIN. Who?

Mr. GRIFFIN. Your father.

Mr. RUBENSTEIN. I told you there was only one member taken from a family.

Mr. GRIFFIN. The reason I ask you is I believe that in one of the newspaper articles about Jack's life that was serialized the story was told by the newspaper reporter that your father had joined the service with his two brothers and that your father and his two brothers married your mother and her two sisters.

Do you ever recall a story like that?

Mr. RUBENSTEIN. Never. I don't even remember seeing the article. I don't think it is true.

Mr. GRIFFIN. I am going to ask questions about your mother's family then. Did your mother talk about her family background?

Mr. RUBENSTEIN. Except her father was a very important man in the community. He was like a doctor.

Mr. GRIFFIN. You say like a doctor?

Mr. RUBENSTEIN. I don't know. That is the expression they used at home. I don't know. You know, you are going back 4 or 5 thousand miles, and that is the expression that was used.

Mr. GRIFFIN. Yes; but I take it the words "like a doctor" were used which sort of indicated to you that maybe he wasn't quite a doctor or something similar to it.

Mr. RUBENSTEIN. Yes.

Mr. GRIFFIN. Like a pharmacist?

Mr. RUBENSTEIN. Could have been. I know he went out and took care of people and my mother was called in to take care of the family when somebody was sick.

Mr. GRIFFIN. Your mother was?

Mr. RUBENSTEIN. Do you follow me?

Mr. GRIFFIN. Yes.

Mr. RUBENSTEIN. My mother went along as a servant to take care of the needs of the family that was sick. Her father took care of the family in a medical way.

Mr. GRIFFIN. I see.

Mr. RUBENSTEIN. That is the impression that I always had from the stories we gathered at home.

Mr. GRIFFIN. Did your mother spend her life around Warsaw, her early life?

Mr. RUBENSTEIN. I suppose, I don't know.

Mr. GRIFFIN. Do you recall her talking about her life in Europe where she came from?

Mr. RUBENSTEIN. Yes; I think Warsaw was her main life.

Mr. GRIFFIN. Do you recall how big her family was?

Mr. RUBENSTEIN. No.

Mr. GRIFFIN. Did she have any brothers or sisters who came to this country?

Mr. RUBENSTEIN. One brother, Harry Rutland. He was, he worked for the Union Pacific for many, many years as a boilermaker.

Mr. GRIFFIN. Was Rutland his name?

Mr. RUBENSTEIN. I think it used to be Rutkowsky and he changed it to Rutland, naturally.

Mr. GRIFFIN. Where did he live?

Mr. RUBENSTEIN. Denver.

Mr. GRIFFIN. Is he still living?

Mr. RUBENSTEIN. No.

Mr. GRIFFIN. Do you have some knowledge he is dead?

Mr. RUBENSTEIN. Oh, no; we know he is dead.

Mr. GRIFFIN. Did he have any family?

Mr. RUBENSTEIN. Four children, two boys and two girls.

Mr. GRIFFIN. I see. Had your family maintained any contact with the Rutland family?

Mr. RUBENSTEIN. About as much as we maintained with Europe. We would see them occasionally when they would come through or during the war, the boys would pass through Chicago they would stop off and say hello, and if I were working west with the Plymouth Rubber Co. and I went to Denver I stayed there for a week. And then Rita left a trunk at our house one time in Chicago for a couple of years and it blocked up our closet and we asked her to remove it. That is the only connection.

Mr. GRIFFIN. Rita is one of his daughters?

Mr. RUBENSTEIN. Out on the west coast.

Mr. GRIFFIN. So far as you know the only aunts or uncles that you have, whoever came to this country, were your father's brother Hyman?

Mr. RUBENSTEIN. No; my father's brother Abraham.

Mr. GRIFFIN. Abraham, who has a son Hyman.

Mr. RUBENSTEIN. A doctor.

Mr. GRIFFIN. And your mother's brother Harry?

Mr. RUBENSTEIN. That is it.

Mr. GRIFFIN. Did you ever hear your mother talk about having any sisters?

Mr. RUBENSTEIN. Here in this country or in Europe?

Mr. GRIFFIN. Either place.

Mr. RUBENSTEIN. I don't remember. There might have been one—I don't think she is a sister. She was very close to my mother. I don't remember her name.

Mr. GRIFFIN. Where was she??

Mr. RUBENSTEIN. I don't know. It has been so many years ago.

Mr. GRIFFIN. Did your mother—do you remember any contact being maintained by your mother with her family in Europe?

Mr. RUBENSTEIN. None. Not even one letter.

Mr. GRIFFIN. How did your mother—did your mother ever express any feelings about that?

Mr. RUBENSTEIN. I imagine she got lonely. She used to sort of daydream and tell us a few stories about Warsaw, and her family but she never mentioned any names. I don't remember her ever mentioning one name.

Mr. GRIFFIN. As you were growing up, as a child, did your mother speak English?

Mr. RUBENSTEIN. No.

Mr. GRIFFIN. What did she speak?

Mr. RUBENSTEIN. Jewish.

Mr. GRIFFIN. Yiddish?

Mr. RUBENSTEIN. Yiddish.

Mr. GRIFFIN. How about your father?

Mr. RUBENSTEIN. Yiddish mostly.

Mr. GRIFFIN. So it—the conversation in the home was Yiddish among the children?

Mr. RUBENSTEIN. Always, always with them.

Mr. GRIFFIN. What sort of religious practices were maintained in the home?

Mr. RUBENSTEIN. Not orthodox, not strict, nothing strict, except for the holidays. We would have for Easter, we would follow the Easter services. For Yom Kippur my father would go to synagogue and try to take me along when I was a little boy; and I went to Hebrew school for a while, and that is all I can remember. I don't know whether any of the other boys went to Hebrew school or not.

Mr. GRIFFIN. But at least you as the oldest child——

Mr. RUBENSTEIN. I was an oldest child and they tried to set me as an example for the others, but I couldn't see it. I couldn't understand it. It is like speaking, what is that language that the Catholics use in their church?

Mr. GRIFFIN. Roman.

Mr. RUBENSTEIN. Roman.

Mr. GRIFFIN. Latin.

Mr. RUBENSTEIN. It is like the Catholics speak Latin in their churches and it is like Hebrew speaking to us kids in America, if you don't know Hebrew you don't understand it.

We tried to get some meaning out of it just enough so that we could stay in school and then there was no use. It just didn't absorb. There was no practice. That is the word, practice.

Mr. GRIFFIN. Did your family, did your mother, observe any of the dietary laws?

Mr. RUBENSTEIN. Yes, yes; we had two sets of dishes, and very clean. My mother was very clean with the children and with her own life and her own family and her own home. She was very strict about those things.

Mr. GRIFFIN. Can you explain how it is that your mother would observe the dietary laws and so forth and yet the more religious, the formal religious aspect of the life was not incorporated in your home?

Mr. RUBENSTEIN. Very simple. You try to bring up eight kids in Chicago and keep them in shoes and keep them in school, out of jail, out of trouble, that was enough, that is the big problem. That is more important.

Mr. GRIFFIN. There were troubles in your home, weren't there?

Mr. RUBENSTEIN. Always.

Mr. GRIFFIN. What kind of troubles?

Mr. RUBENSTEIN. Family troubles.

Mr. GRIFFIN. Would you be specific?

Mr. RUBENSTEIN. Between my father and mother.

Mr. GRIFFIN. What seemed to be the trouble?

Mr. RUBENSTEIN. Arguments constantly, quarrels, unfortunately.

Mr. GRIFFIN. What would they fight over?

Mr. RUBENSTEIN. Who knows?

Mr. GRIFFIN. Did your father drink?

Mr. RUBENSTEIN. Yes.

Mr. GRIFFIN. Tell us about his drinking?

Mr. RUBENSTEIN. Always. He learned that in the army.

Mr. GRIFFIN. Where would he drink, at home or go to a corner saloon or what?

Mr. RUBENSTEIN. I would say both.

Mr. GRIFFIN. Did he drink to excess?

Mr. RUBENSTEIN. Yes.

Mr. GRIFFIN. Was he abusive in any way?

Mr. RUBENSTEIN. Yes.

Mr. GRIFFIN. Would you tell us about that?

Mr. RUBENSTEIN. My mother objected to it and they would start to fight and started an argument and sometimes they hit each other.

Mr. GRIFFIN. They did separate at one time did they not?

Mr. RUBENSTEIN. Yes.

Mr. GRIFFIN. What was the cause of the separation?

Mr. RUBENSTEIN. Just ill-feeling.

Mr. GRIFFIN. While you were a child, did your mother have any peculiar ideas, any delusions of any sort, did she seem to have any mental problems?

Mr. RUBENSTEIN. Yes; she always felt there was a bone stuck in her throat and about once a month I had to take her downtown. I being the oldest, to a clinic for 50 cents, we had clinics, you know those days, and she insisted there was a bone stuck in her throat from fish, and everytime we would go there the doctor would tell her, "Mrs. Rubenstein, there is nothing in your throat, you are imagining things. Why don't you forget it."

Thirty days later, about 30 days, I don't know, I would go back there with her again. She insisted and I went, she made me go. This kept on for a couple of years, and she finally got tired of going and then we quit going.

Mr. GRIFFIN. Well, was this after you left high school?

Mr. RUBENSTEIN. No; before.

Mr. GRIFFIN. Did there ever come a time when your mother was inattentive to the children, sloppy and so forth?

Mr. RUBENSTEIN. Yes. There came a time when she felt very despondent, very disgusted, because she felt she had to keep up the job by herself taking care of the children, and she was unhappy, and so I think the family service suggested that she go to Elgin Sanitarium for a while.

Mr. GRIFFIN. That was in the thirties, though, was it not?

Mr. RUBENSTEIN. I don't remember what year, but I know I went out to see her one time with my sister Marion, I drove her out there. It could have been the thirties and it could have been the twenties.

Mr. GRIFFIN. But it was after you got out of high school.

Mr. RUBENSTEIN. I don't remember.

Mr. GRIFFIN. How many children were born into the family?

Mr. RUBENSTEIN. Nine.

Mr. GRIFFIN. How many of them are now living?

Mr. RUBENSTEIN. Eight.

Mr. GRIFFIN. And one of them died as a young child?

Mr. RUBENSTEIN. Yes.

Mr. GRIFFIN. Where did the one who died come in the picture, in the age span of the children?

Mr. RUBENSTEIN. I don't know. It was a girl. She was about 5 years old, I think.

Mr. GRIFFIN. How did she happen to die?

Mr. RUBENSTEIN. She got burned. She tipped over a kettle of hot soup on herself. It was a very tragic incident in our family.

Mr. GRIFFIN. Were you living at home at the time?

Mr. RUBENSTEIN. I was a kid. I was only about 6 or 7 years old, I think.

Mr. GRIFFIN. Was—it is clear to you that you were a child and you were not an adult when this happened?

Mr. RUBENSTEIN. Oh, definitely.

Mr. GRIFFIN. Was this before your parents separated?

Mr. RUBENSTEIN. Many years before.

Mr. GRIFFIN. How did your mother take that?

Mr. RUBENSTEIN. Don't ask. I thought she was going to go crazy. She loved her children.

Mr. GRIFFIN. I take it you have considerable affection, affectionate feelings toward your mother?

Mr. RUBENSTEIN. Always.

Mr. GRIFFIN. How about the other children, did they feel that way or was there some fighting?

Mr. RUBENSTEIN. Yes; yes.

Mr. GRIFFIN. All right.

Mr. RUBENSTEIN. The reason I think for that is, she had a tough life. It wasn't easy for her putting up with my father all these years, moving from place

to place, trying to raise her children decently and honestly. It was tough for her, and alone.

Mr. GRIFFIN. How did your father feel towards the children?

Mr. RUBENSTEIN. I can't find the word for it but it wasn't like—wasn't—he loved the children but I believe since he didn't have to have an education he felt that grammar school was good enough for all of us, and that is what we should have done. But my mother felt differently. She realized that you have got to have an education to progress, and maybe that is why we all felt more for our mother than we did for our father as a parent.

Mr. GRIFFIN. Your father ultimately came back and lived with you?

Mr. RUBENSTEIN. After my mother died.

Mr. GRIFFIN. Not before?

Mr. RUBENSTEIN. I don't remember.

Mr. GRIFFIN. Of all of the children in the family, who do you think is the one who has paid the most attention to this early family life and would have the most information to contribute on it?

Mr. RUBENSTEIN. I imagine Eva. Eva is a pretty smart woman. She could, she was at home most of the time and I think she could, tell more about the family than any of us. She has a very good memory, too, by the way, which is important.

Mr. GRIFFIN. How close were you to Jack as he was growing up?

Mr. RUBENSTEIN. I wasn't home much. I told you. You have got the history of my life here. I wasn't home much. I am about 10 years older than Jack so when he was 15, I was already 25. I was working and traveling on the road, and whatever he was doing as long as he didn't get into any serious trouble I felt it is OK.

Except one incident and I found this out not so long ago. On the West Side on Roosevelt Road there used to be a place called the Lawndale, it is a restaurant. During the Roosevelt administration some character made a wisecrack about Roosevelt. Jack picked up a chair and was going to hit him right in the head with that and got stopped by two guys.

Mr. GRIFFIN. Did you see this?

Mr. RUBENSTEIN. No; but I was told this by fellows who have no direct connection with them.

Mr. GRIFFIN. Who were those fellows?

Mr. RUBENSTEIN. I can give you the name of the owner of the tavern, I can mail it to you, and the fellow who told it to him was afraid to get involved because he has got a record and I said, "What are you afraid of?"

He said, "I don't want to get involved."

Mr. GRIFFIN. Do you remember the name of the tavern owner?

Mr. RUBENSTEIN. I can find it for you. I can give it to you, I can mail it to you as soon as I get back to Chicago.

Mr. GRIFFIN. Why don't you make a note of it and mail it to us.

Mr. RUBENSTEIN. Sure, this came as a complete surprise to me because we tried to get, we tried to get, some information from the boys how he reacted away from home, and when a fellow told me this, I almost fell through the floor. I know this, Jack went out to the northwest side many times and broke up Bund meetings. That is one thing he wouldn't go for.

Mr. GRIFFIN. You know this from your own?

Mr. RUBENSTEIN. From my own fact, and not that he will tell anybody. It came also back to me.

Mr. GRIFFIN. This other people have told you?

Mr. RUBENSTEIN. Other people told me. They said, "Your brother is terrific. He just goes in there and breaks up the joint." He just couldn't tolerate those guys. Nobody would dare mention the word "Jew" in a derogatory form to him because he would be knocked flat in 2 minutes. That is the kind of a guy he was, hasty, quick, and he was agile, he is built good, he never drank or smoked, and he took care of himself. And I admire him for it and I love him for it.

Mr. GRIFFIN. Did he ever put this strength and physical ability to use in any sort of a job? For example, did he ever act as a bouncer any place?

Mr. RUBENSTEIN. He never liked to show off. He is not that kind of a loud mouth braggadocio, he never went in for that stuff. He hung around Barney Ross all his life. He liked Barney Ross. Everybody liked Barney Ross.

Mr. GRIFFIN. Were you one of Barney Ross' followers?

Mr. RUBENSTEIN. Naturally when you live on the west side you have got to be a follower.

Mr. GRIFFIN. I mean did you hang around him?

Mr. RUBENSTEIN. No; he was Jack's age. I knew Barney through Jack, you know, met him.

Mr. GRIFFIN. I take it you were not in a position to know Jack's friends when Jack was a child.

Mr. RUBENSTEIN. His friends were the fellows who loved life and go out and have a good time. His business associates were fellows who were hustlers and like to make money. So you put two and two together. You find good business associates who are hustlers, and you had to be, without much education, go out and make money, and in the evening you go out and you find the friends you like to spend it with. He never hung around with no hoodlums. We knew hoodlums, sure. If they come into a restaurant where you are, next to them you are sitting, "Hello, Hy," "Hello, Joe." What do you do, ignore them? You have known them all your life, you don't ignore them.

Mr. GRIFFIN. Kids from the neighborhood?

Mr. RUBENSTEIN. Kids from the neighborhood.

Mr. GRIFFIN. Do you have any people in mind?

Mr. RUBENSTEIN. Wherever you lived on the west side there was a hoodlum or became a hoodlum who you went to school with, or you belonged to some club with, or maybe—let me give you another example or you played ball with them. You never knew. You never knew. They surprised you.

Mr. GRIFFIN. Who were Jack's closest friends before he went to Dallas?

Mr. RUBENSTEIN. He was very popular, he had a lot of friends.

Mr. GRIFFIN. Who were the people he was closest to?

Mr. RUBENSTEIN. What age?

Mr. GRIFFIN. Let's take it after he got out of high school.

Mr. RUBENSTEIN. Harry Epstein was one, a business promoter. Sam Gordon on the west coast now, very wealthy man, a business promoter.

Mr. GRIFFIN. How about Ira Kolitz?

Mr. RUBENSTEIN. He knew Ira from the Lawndale; he knew Ira.

Mr. GRIFFIN. But they weren't close?

Mr. RUBENSTEIN. Leave me tell you something now so you people understand. Ira Kolitz comes from one of the finest families in Chicago. His father was a banker on the west side. But living on the west side you are next door—your next-door neighbor might be a hoodlum, you don't know. Maybe Ira Kolitz went to school with Jack, it could have been. Maybe they hung around the same poolroom together. I was in the Army with Ira. How much Jack hung around with Ira, I don't know. I know Ira had a couple of taverns downtown; that I did know. Whether a tavern owner is a hoodlum that is another category, that I don't know.

Mr. GRIFFIN. How about Marty Gimpel?

Mr. RUBENSTEIN. He died; poor Marty. Marty was a nice guy; worked for the post office for many years, saved up a nice piece of change, went down to Dallas, Tex.; they tried to promote homes, build homes, out of log cabins. They built one, they sold it and that was the end of that deal as far as I know.

Mr. GRIFFIN. Was Marty friendly with Jack during the thirties?

Mr. RUBENSTEIN. I don't know. I imagine; yes.

Mr. GRIFFIN. When did you first become aware that Marty was——

Mr. RUBENSTEIN. I don't remember.

Mr. GRIFFIN. Did you know Marty in Chicago?

Mr. RUBENSTEIN. I knew of him. Probably met him once or twice at the house.

Mr. GRIFFIN. Do you know when he went to Texas?

Mr. RUBENSTEIN. No. Leave me tell you about Dallas, Tex. I mean anybody that Jack knew when Jack came up to Chicago maybe once every 4 or 5 years. "Come down to Dallas, I have got a proposition for you." "Come down to Dallas, I have a proposition for you." Everybody he wanted to come down that he wanted to have a friend down there, that was the kind of a guy he was, or else have a place for him to stay, he probably would have a job for them, or if a proposition come up that this fellow could handle Jack would fix him up for it. That was the kind of guy Jack was; you never go hungry with Jack.

Mr. GRIFFIN. Did you know a fellow in Chicago named Frank Howard?

Mr. RUBENSTEIN. No; never heard the name.

Mr. GRIFFIN. Jack Howard?

Mr. RUBENSTEIN. The musician?

Mr. GRIFFIN. Is that who he is?

Mr. RUBENSTEIN. I don't know, that is the only Jack Howard that I remember.

Mr. GRIFFIN. Tell us how you knew him?

Mr. RUBENSTEIN. I can't tell you nothing. I don't know him that well; no.

Mr. GRIFFIN. Did Jack know him?

Mr. RUBENSTEIN. I don't know.

Mr. GRIFFIN. Do you remember Jack being in the music business?

Mr. RUBENSTEIN. No; I don't.

Mr. GRIFFIN. Selling sheet music or anything like that?

Mr. RUBENSTEIN. That is the guy that Jack counted sheet music; that is the guy.

Mr. GRIFFIN. Did your brother Jack sell sheet music?

Mr. RUBENSTEIN. I don't know.

Mr. GRIFFIN. Did you know a man named Irwin Berke?

Mr. RUBENSTEIN. Never heard of him.

Mr. GRIFFIN. Or Sam Chazin?

Mr. RUBENSTEIN. Never heard of him.

Mr. GRIFFIN. Did you know a fellow by the name of Paul Labriolla?

Mr. RUBENSTEIN. Needlenose; I seen his name in the paper. I never met him.

Mr. GRIFFIN. How about Hershey Colvin?

Mr. RUBENSTEIN. Hershey was an Army buddy of Jack in Mississippi, and Hershey is a gambler by profession, and he now is a bartender on the north side of Chicago. That is about all I can tell you.

Mr. GRIFFIN. Tell us what you mean by a gambler by profession.

Mr. RUBENSTEIN. Well, years ago when everything was open in Chicago, like certain communities were. He is a professional gambler. He dealt cards or he run a crap table, or he was in that particular line. Maybe he booked horses; I don't know. But I know Hershey.

Mr. GRIFFIN. How about Jimmy Weinberg?

Mr. RUBENSTEIN. Never—I heard of him but I don't know him.

Mr. GRIFFIN. Did you know Alex Gruber?

Mr. RUBENSTEIN. Never heard of him.

Mr. GRIFFIN. How about Mike Nemzin?

Mr. RUBENSTEIN. Oh, there is a nice guy. Mike is a nice guy, but Mike is not Jack's friend; he is Earl's friend.

Mr. GRIFFIN. How about Marty Erritt?

Mr. RUBENSTEIN. Rambler agency in Chicago; very well respected and a very nice guy.

Mr. GRIFFIN. Was he a friend of Jack or was he Earl's friend?

Mr. RUBENSTEIN. Both. I think Jack introduced him to Earl.

Mr. GRIFFIN. Did you ever loan Jack any money while he was down in Dallas?

Mr. RUBENSTEIN. No; I didn't. Earl did, I think.

Mr. GRIFFIN. How about Eva; did you ever lend her any money down in Dallas?

Mr. RUBENSTEIN. Yes. Eva went down there, I don't know, before the war. What she was doing down there I can't tell you, how she ever fell in love with that city that is her business. She came up to Chicago one year, and I had a little money hustling around like I told you, buying and selling things for

myself. "I got a good spot," she says. "1717 Ervay Street." I said, "What do you need?" She says, "I need about a thousand dollars." I said, "What for?"

She wants to buy a piano, so I bought her a piano and cost me \$625 for the piano. She wanted a loudspeaker system for the nightclub, cost me a couple of hundred bucks for that. Then she bought some dishes, and some pots and pans for the restaurant in the back. I said, "O.K. I will ship them all down to you." We picked out the piano. I got her the loudspeaker system, and the paraphernalia that goes with it, the speakers, and we went down to Maxwell Street and we bought pots and pans and dishes and cups and saucers and shipped it all down to Dallas, Tex. That was the last I heard of it until I went down there. I was subpoenaed by the Government by a guy by the name of Paul Jones. They got in a jam. How did she meet Paul Jones? Eva sent him up to Chicago and he is in Chicago and he calls me. I came downtown and I met him. Do you want this part of the story now?

Mr. GRIFFIN. Yes; go ahead.

Mr. RUBENSTEIN. Paul is looking over things down in Dallas that they can't buy. We were looking for stuff in Chicago that you can't buy either; merchandise, legitimate merchandise. One of the items was pipe. Of course right after the war, you couldn't buy anything. There was nothing to be had. I made a connection with somebody I don't remember now—this is 20 years ago—on pipe. So I sent Paul down a small piece of pipe about 6 inches, and I put a sticker on it and I mailed it down to Dallas, and I said, I sent him a letter, how else can you send a piece of pipe, that was the best way. I figured nobody is going to use a piece like that. I put a label on it and I mailed it down to Paul Jones.

I mailed it to the tavern; Eva's place. He got it.

Mr. GRIFFIN. Had you met Jones before you sent the pipe down?

Mr. RUBENSTEIN. Up here in Chicago. I never heard anything else from Paul Jones. But shortly after I am subpoenaed, come down to Dallas by the U.S. District Attorney from Chicago, Al Lehman, who died since, they wanted me to go to Dallas. "What do you know about Paul Jones?" So I told them. He said, "Go down there and tell the truth," and I did. I go down to Dallas, the district attorney down there cross-examined me for about an hour, and I told him exactly what happened about the pipe deal, and he didn't like it because he subpoenaed me as his witness, here I am testifying for Paul Jones on the pipe deal. I had to tell him the truth. So he got sore at me, and I said, "Look, I don't want no part of this court; you sent for me and I am telling you the truth," and he got angry at me. That was it.

I hung around, this was not in Dallas, the trial was in Nuevo Laredo, Tex. It seems that some of Paul's associates were smuggling dope, by airplane, from Mexico—across the line—and Paul got grabbed. They found my ticket, I think one of my cards, in his pocket. So, I am subpoenaed. I am a dope peddler right off the bat. What the hell do I know about dope peddling? And that was the story of my connection with Uncle Sam. I don't know what year it was, either 1944 or 1945. That was it.

Mr. GRIFFIN. Was it before or after Jack had moved down to Dallas?

Mr. RUBENSTEIN. Jack was in the service.

Mr. GRIFFIN. This was while Jack was in the service?

Mr. RUBENSTEIN. I am almost positive.

Mr. GRIFFIN. Jack didn't testify in that trial, did he?

Mr. RUBENSTEIN. No.

Mr. GRIFFIN. Do you recall being questioned by Federal narcotics agents in connection with Jones?

Mr. RUBENSTEIN. Yes.

Mr. GRIFFIN. Was that—were you questioned about that before or after the trial?

Mr. RUBENSTEIN. It must have been before the trial because after the trial they let me go. They didn't even bother with me after that because I was no good to them.

Mr. GRIFFIN. So the best way to date it when you went down there was when the Federal narcotics agents questioned you in Chicago?

Mr. RUBENSTEIN. Yes. Al Lehman, I think, was the one who questioned me.

Mr. GRIFFIN. How about Jack, was he questioned at the same time?

Mr. RUBENSTEIN. Jack was in the Army.

Mr. GRIFFIN. You don't have any recollection of his being questioned?

Mr. RUBENSTEIN. Jack was never in Dallas before in his life. He didn't know nothing about Dallas. He never met Jones. I met Jones through Eva.

Mr. GRIFFIN. You don't ever remember meeting Jones with Jack?

Mr. RUBENSTEIN. I told you Jack did not know Jones.

Mr. GRIFFIN. Well now, if the record showed differently, would you think you might be mistaken?

Mr. RUBENSTEIN. No; I am almost positive. Because this was before Jack went down there.

Mr. GRIFFIN. Do you remember a time when Jack was living at the Sherman Hotel?

Mr. RUBENSTEIN. Yes.

Mr. GRIFFIN. All right. When was that?

Mr. RUBENSTEIN. When he came out of the Army.

Mr. GRIFFIN. Do you recall if during part of the period when he was living at the Sherman Hotel he also went down to Dallas for a while to see Eva?

Mr. RUBENSTEIN. I don't remember that.

Mr. GRIFFIN. Incidentally, when Jack was in Chicago were there times when he did not live with the family?

Mr. RUBENSTEIN. Yes; when he stayed at the Sherman Hotel.

Mr. GRIFFIN. Any other time?

Mr. RUBENSTEIN. Either the Sherman or the Congress, one of the two hotels I know he stayed.

Mr. GRIFFIN. For how long was he living in a hotel?

Mr. RUBENSTEIN. I don't know, after he got out of the service.

Mr. GRIFFIN. Why was it that he was not living with the family?

Mr. RUBENSTEIN. He had sold out his business to my brother Earl or part of his interest to my brother Earl, and he had some money, and so he felt he wanted to live by himself for a while, which is all right. I mean he was no kid any more, he was a man.

Mr. GRIFFIN. Was there room for him at home?

Mr. RUBENSTEIN. I don't remember.

Mr. GRIFFIN. Did you have any contact with Jack during the fall of 1963 prior to the time that the President was assassinated?

Mr. RUBENSTEIN. Yes.

Mr. GRIFFIN. Tell us about your contact with Jack?

Mr. RUBENSTEIN. In the fall of 1963. Let me tell you when the first time was. He called me on the phone, the records you get from the telephone company, and he is going to send me up—he wanted me to come down and become his manager of the Carousel Club.

Mr. GRIFFIN. When was this?

Mr. RUBENSTEIN. In the fall, sometime in the fall of 1963 and he also told me in 1962 he wanted me to come down—

Mr. GRIFFIN. Let's talk about this being the manager first before we get into the other thing.

Mr. RUBENSTEIN. Yes.

Mr. GRIFFIN. Why did he need a manager?

Mr. RUBENSTEIN. He wanted someone in the family to run the place.

Mr. GRIFFIN. What was he going to do?

Mr. RUBENSTEIN. He was going—he used to come down later. Jack did not come down early. A manager has got to be there from 4:30 until closing. Jack used to come down around, I understand, nine or ten o'clock in the evening. Probably he belonged to a couple of the clubs there, I understand he was a member of the YMCA and the Dallas Athletic Club I think he was a member of—maybe even had a girl friend or two, I don't know.

Anyway, he asked me to come down and be the manager. I could not see working in a place 7 days a week, I couldn't stand the noise in the striptease joints, those brassy bands, you know. I know right away that was out.

Mr. GRIFFIN. Were you having trouble at that time making a living?

Mr. RUBENSTEIN. No; I had a good job. I was making good money.

Mr. GRIFFIN. Now, this is in 1963, this was after you left the Lewis Ribbon Co.

Mr. RUBENSTEIN. Yes; I had a lot of money outstanding on the road from merchandise I had sold to my customers and that was more important to me than taking any kind of a job.

Mr. GRIFFIN. This wasn't going to help you out?

Mr. RUBENSTEIN. He thought—he didn't know what my position was.

Mr. GRIFFIN. But you told him, did you tell him, that you really didn't need it? That you were doing all right?

Mr. RUBENSTEIN. Yes; I told him, I didn't want no 7-day a week proposition right off the bat, that was No. 1.

No. 2, I was a little bit too old for that kind of a deal. You get to be a certain age you don't want that noise all night long and you realize it, you don't have to be there but you can realize it, you can visualize the job. I didn't want it.

All of a sudden he sends me up, do you know what a twistboard is? I should have brought one with me.

Mr. GRIFFIN. Tell us what it is.

Mr. RUBENSTEIN. I showed it to the FBI. Somebody in Dallas invented a twistboard. It is a square board, two boards, one on top of the other with a ball bearing that separates it in the center.

Mr. GRIFFIN. So that one piece of wood rests on the floor and the other would swivel around on the top of it?

Mr. RUBENSTEIN. And you stand on this and you can twist.

Mr. GRIFFIN. Indicating you stand on the board and twist your body around.

Mr. RUBENSTEIN. "\$1.69 retail, hottest thing in the world. Go out and sell it." I still have it home with the original wrapper and all.

Mr. GRIFFIN. This is what Jack told you?

Mr. RUBENSTEIN. He told me and he also made me a sample.

Mr. GRIFFIN. How many did he mail you?

Mr. RUBENSTEIN. Just one. He mailed Earl one, anybody in Chicago he thought he could contact for promotion he mailed one, because he had the distributors^{hip}.

Mr. GRIFFIN. Do you remember any——

Mr. RUBENSTEIN. That is the kind of a guy Jack is. He gets a hot item, boom, he wants to go out and sell it, promote it, that is his life.

You can never take that out of a person.

Mr. GRIFFIN. Do you remember some of these other things that he did like that?

Mr. RUBENSTEIN. Yes.

Mr. GRIFFIN. Tell us about it.

Mr. RUBENSTEIN. When Roosevelt died he was the first one with a plaster of Paris bust, and he sold them all over the country. I don't know, it wasn't much. He probably paid them \$1 apiece for them and sold them for \$2.

Mr. GRIFFIN. Do you know who manufactured them?

Mr. RUBENSTEIN. No; but somebody in Chicago done Jack a favor, they made him a mold and kept on making these things for him and he either shipped them or took them and sold them by himself, always something, anything that is hot, he is right there out with it.

Mr. GRIFFIN. Any others; can you think of any others?

Mr. RUBENSTEIN. Punchboard deals. He would pick up items that the average person couldn't afford to buy. Let's say a small radio, probably would retail for about \$18 or \$19 he would arrange on a punchboard card that from 1 to 39 cents the winner would get the radio and the guy selling the board would get a radio, that the radios would probably cost him about \$5 apiece because they would buy lots of them, small radios, little ones, cheaply constructed. Well, you walk into a plant and get hold of a foreman and say, "Would you like one of these for yourself?" "Sure." "Well, sell out the punchcard on their lunch hour, mail me the money, give the winner this radio and I will mail you a radio." Perfect. Good gimmick.

Mr. GRIFFIN. As I understand it then, part of the punchboard gimmick was that he would give some merchandise away with it, is that right?

Mr. RUBENSTEIN. That is right. Incentive. Otherwise, why should the foreman take the board? The foreman wants one exactly like he is going to give to the winner, and there was always enough profit left over for Jack to sufficiently

cover his expenses, and make a little profit on the side, and that was one of his other promotion deals.

What else did he do? During the football seasons when he was a kid, you know, these little footballs with the school colors. He would go out to the games, Wisconsin, Ohio, Champaign, Mich., he would leave on the Friday morning with some fellow who had a car and they would load up the car with these emblems and these different school things and he would sell them.

That is another one of the things he did when he was—after he got out of high school—I forgot to tell you that. That was a good deal for him.

Mr. GRIFFIN. Can you think of anything else? While he was in Dallas, did he call you with anything else beside the twistboard, any other promotions he had? How about entertainers?

Mr. RUBENSTEIN. Yes. He had more trouble—this is a guy in charge of the union down there was giving Jack a headache.

Mr. GRIFFIN. I am not asking you for his problems now, did he promote any entertainers?

Mr. RUBENSTEIN. Yes.

Mr. GRIFFIN. Tell us about that.

Mr. RUBENSTEIN. He came up to Chicago on one time with a little colored boy by the name of Sugar Daddy, was about 10 years old.

Mr. GRIFFIN. Would this have been Little Daddy Nelson?

Mr. RUBENSTEIN. I don't know; I don't know the extra name but there was a little colored boy who was the greatest piano player and singer for a kid 10 years of age.

Jack took him to Chicago, tried to get him on the TV and tried to get him on radio, and we went to New York, Jack spent all this money, and the deal was all set, with even a tutor for the kid, a tutor, all set, the contract was going to be signed, and everything, and he had to give the mother and father 25 percent or something like that of the kid's earnings and Jack took 25 percent, I think for his work and expenses, and the kid would get the rest of the 50 percent and all the money for the tutoring would come out of the kid, expenses and so forth, all set and signed. This you will never believe. A second mother shows up. You know that would make a story in itself.

Mr. GRIFFIN. Tell us about it.

Mr. RUBENSTEIN. I don't know, that is it. That is all.

Mr. GRIFFIN. How did you learn about the second mother?

Mr. RUBENSTEIN. From Eva.

Mr. GRIFFIN. When did you learn about this?

Mr. RUBENSTEIN. Way after; Jack was advised by his lawyer in order to avoid a lot of legal difficulties, and all that stuff, drop it, and Jack dropped it like a hot potato. You can get yourself into a lot of trouble, two mothers. Talk about Jack with his promotions. That is the kind of a guy Jack was, you would love him, nice guy, likable guy. Do you a favor any time.

Mr. GRIFFIN. What other promotions can you think of?

Mr. RUBENSTEIN. It is really funny. Jack's promotions. I wish I could think of all of them. Ever since he was a kid. I can't think offhand now. But when I heard about that two-mother deal that was really funny.

Mr. GRIFFIN. Did you hear about the two-mother problem before or after the President was killed?

Mr. RUBENSTEIN. Oh, this is long before.

Mr. GRIFFIN. So this is something that was, you all knew about?

Mr. RUBENSTEIN. I am just trying to give you the background of Jack's life, what kind of a guy Jack was. He would never hurt anybody, I mean either physically or mentally. He loved life, he loved a story, he loved to laugh, he loved women, and—but don't hurt him, don't hurt him or you would never hear the end of it. He was very sensitive, very sensitive.

Mr. GRIFFIN. Give us some examples of that.

Mr. RUBENSTEIN. Well, I gave you one about the Roosevelt chair, and I am trying to think of something very important in his life. Yes; he popped Eva on the nose one time.

Mr. GRIFFIN. How did that happen?

Mr. RUBENSTEIN. I don't know. Something about chop suey. I wasn't there.

He popped my own sister on the nose. That is the kind of a guy he was, something quick, something broke in him and he hit her, hit her right in the nose, which isn't like our family.

Mr. GRIFFIN. So when you say he wouldn't hurt anybody, what do you mean by that?

Mr. RUBENSTEIN. I mean he wouldn't go out of the way and start a fight. I mean he wouldn't just pick a fight on the street.

Mr. GRIFFIN. He did fight with people on the street?

Mr. RUBENSTEIN. Oh, yes; oh, sure—sure. That is because they were doing something to, something to hurt him.

Mr. GRIFFIN. Or at least he felt they did?

Mr. RUBENSTEIN. That is right. He wouldn't start anything. Let's put it that way. He wouldn't start anything. He would let the other guy start it. That would be the end.

Mr. GRIFFIN. Well, when you say he wouldn't start anything, he sometimes would strike the first blow, wouldn't he? He didn't wait for the other guy to hit him?

Mr. RUBENSTEIN. That is true. But there must have been cause to lead up to it.

Mr. GRIFFIN. You feel that these—were there any times when you observed him in a fight?

Mr. RUBENSTEIN. No.

Mr. GRIFFIN. So what you are telling us about his fights you heard from other people, fights that he did get in? How about arguments? Have you observed him in arguments with people?

Mr. RUBENSTEIN. Yes; he was a little bit stubborn with his arguments. When he felt he had a certain idea that was it. He was a hard person to change or to convince.

Mr. GRIFFIN. Do you think—was Jack a personally ambitious person?

Mr. RUBENSTEIN. Oh, definitely.

Mr. GRIFFIN. What were his aspirations and his ambitions? I want you to tell us from your own personal knowledge. Do you have any personal knowledge of what his aspirations and ambitions were, did he ever talk to you about that?

Mr. RUBENSTEIN. No; but I feel he always wanted to be successful and he was capable, and always trying to meet the right type of people, where he could either be friendly or have knowledge to a promotion. Let's put it that way. To him a promotion was the greatest thing in his life, something to have exclusive that was his, with his experience in selling items and promoting items, or promoting an individual, where he would get some profit out of it, that was his ambition.

Mr. GRIFFIN. Well, was he interested in the promotion aside from making money, was he interested in any notoriety that he might get out of it?

Mr. RUBENSTEIN. Jack was not the type, I am trying to tell you. Jack was not the notorious type of a person. Because of all the fights that he had, he never came home and told us about one. We had to hear it from his friends.

Mr. GRIFFIN. Did he do anything, did he promote anything which would have also involved the promotion of himself?

Mr. RUBENSTEIN. Explain that.

Mr. GRIFFIN. Well, for example, in the promotion of this Little Daddy, would it have become known that, generally known that, this was Jack's boy? Would Jack have received some recognition for that?

Mr. RUBENSTEIN. Possibly. It is possible naturally being in the entertainment field and Jack was learning more and more about the entertainment field and the prospects of promotion in another form, naturally he would have to be recognized as he is the one who found Sugar Daddy.

Mr. GRIFFIN. Can you think of any other thing that he was promoting, any products that he was promoting?

Mr. RUBENSTEIN. Yes; some vitamin deal down there. He mailed us a sample that somebody was making something down there but I couldn't see it. He mailed me a sample of that, too, I believe. Somebody was making a vitamin pill down there that Jack got ahold of and he became the distributor.

Mr. GRIFFIN. He wanted you to sell them. You started out to tell us about the twistboard.

Mr. RUBENSTEIN. Yes.

Mr. GRIFFIN. And how Jack contacted you on the twistboard. Tell us what happened.

Mr. RUBENSTEIN. He wanted me to call on the department stores on the road. He says that is where they sell best. I would make about \$3 a dozen which is a good deal, because if they start selling the reorders would come in automatically, the missionary work is hard, when you are making \$3 a dozen on an item that sells for \$1.69 that is a pretty good profit.

Mr. GRIFFIN. So you thought Jack's idea as far as pricing was concerned, he was talking about selling them for \$1.69?

Mr. RUBENSTEIN. Retail, I think so.

Mr. GRIFFIN. Retail for somewhere less than \$2?

Mr. RUBENSTEIN. Yes.

Mr. GRIFFIN. And you would have made?

Mr. RUBENSTEIN. Three dollars a dozen.

Mr. GRIFFIN. Three dollars a dozen, which would have been how much on each item?

Mr. RUBENSTEIN. A quarter on each item.

Mr. GRIFFIN. Is that the normal?

Mr. RUBENSTEIN. Yes; for a salesman, yes; that is about right. Especially for an item like that, I don't think it costs very much to make, to be honest with you. Two pieces of board, and some kind of a gimmick in the center in between.

Mr. GRIFFIN. All right. What was your response to that one?

Mr. RUBENSTEIN. I hadn't had a chance to take it out. It was shortly before the incident.

Mr. GRIFFIN. Did he send you anything else in connection with it besides the board?

Mr. RUBENSTEIN. Literature. I think I got some literature if I can find it. I have got the board home, that I can show you, with the original wrapper.

Mr. GRIFFIN. Did he ask you to advertise in any newspapers or anything for him?

Mr. RUBENSTEIN. No; I don't remember that.

Mr. GRIFFIN. Was it your intention to try to sell these and promote them?

Mr. RUBENSTEIN. I didn't ask him for the board. He just mailed it to me with all the literature after he spoke to me about it.

Mr. GRIFFIN. How many times did he speak to you about it?

Mr. RUBENSTEIN. I don't remember, several times, I would say.

Mr. GRIFFIN. Was he going to have a company name or anything that he was going to use?

Mr. RUBENSTEIN. Yes.

Mr. GRIFFIN. What was it called?

Mr. RUBENSTEIN. Spartan; you see his nickname is "Sparky." He was going to call it Spartan Manufacturing and Promotional.

Mr. GRIFFIN. How did he get the nickname "Sparky"?

Mr. RUBENSTEIN. Fast, aggressive, quick thinker, always on the ball, you know, I imagine that is where he got the name.

Mr. GRIFFIN. You don't really know of your own knowledge?

Mr. RUBENSTEIN. No; but how else would a fellow get a name "Sparky". Like a sparkplug, fast, you know, lightning.

Mr. GRIFFIN. Did Jack have occasion to call you in the fall of last year before November 22 for any reason other than about the twistboard?

Mr. RUBENSTEIN. Yes; union trouble.

Mr. GRIFFIN. When did he call you about that?

Mr. RUBENSTEIN. I don't remember the exact date.

Mr. GRIFFIN. Tell us what he said to you and what you said to him about the union trouble.

Mr. RUBENSTEIN. I can't give you the exact words but I will come close to it. He wanted me to contact some people in Chicago who had connections with AGVA in New York, the president. I didn't know anybody so I started calling people. I called everybody in Chicago I knew. One of the fellows I called was

Jack Yanover. Jack Yanover owns the Dream Bar at 1312 South Cicero Avenue, a striptease joint.

Jack and I are old friends for many years, in fact, he is one of the oldest friends I have. Jack told me two things, Jack Yanover. First, my brother Jack was looking for girls down there, was only going to pay them \$150 a week for 6 weeks' work. So Jack Yanover explained to me, he says, "You cannot get a girl to go down to Dallas for 6 weeks' work for \$150 a week and she will have to pay her own expenses, that is out. They won't do it." And the second problem was with the union. Jack Yanover told me that the people in Chicago, the agents, the union agents, had no connection with the agents in Dallas. It would have to come from New York, and Joey Adams, I think, is one of the big men in the organization, the entertainer Joey Adams, president. So I tried to call some people in Chicago who could get to Joey Adams or anybody else in the New York deal. I didn't succeed, let's put it that way. I remember now. We didn't succeed. It was just one of those things that didn't work out, and if I am not mistaken I think Jack tried to call some of the other boys in Chicago, one bail bondsman, I can't think of his name, and then he tried to call Lenny Patrick, I believe, Lenny Patrick, and then I think he tried to call somebody else.

Mr. GRIFFIN. How about a fellow named Barney Baker?

Mr. RUBENSTEIN. Baker?

Mr. GRIFFIN. Barney Baker, did you ever hear of him?

Mr. RUBENSTEIN. No.

Mr. GRIFFIN. How does Jack know Lenny Patrick?

Mr. RUBENSTEIN. Everybody knows Lenny Patrick. When you go to school you know everybody in a school, grade school or even high school, and if you lived on the west side you know Lenny Patrick because Lenny Patrick, you walk into a delicatessen or into a poolroom, "Hi, Lenny," "Hi, Jack," that is how you know him.

Mr. GRIFFIN. What does Lenny Patrick do?

Mr. RUBENSTEIN. I don't know what he does.

Mr. GRIFFIN. Does he make an honest living?

Mr. RUBENSTEIN. I think gambling is his biggest racket. I think so.

Mr. GRIFFIN. Do you know a fellow in New York by the name of Frank Carbonaro?

Mr. RUBENSTEIN. Carbonaro. He is the guy who used to ship my merchandise for me when I was in business for myself. 811 East 242d Street, Bronx 70, N.Y.

Mr. GRIFFIN. What was his connection with the shipping?

Mr. RUBENSTEIN. He bought my merchandise for me and he shipped it to me for my customers. You see New York is the ribbon market of the world. You can't get the stuff anywhere else than in New York, certain items, and Frankie took care of those things for me. I paid him a commission on every order. That is how it worked out.

Mr. GRIFFIN. How about the Morris Paper Mill Co., did you have some dealings with them?

Mr. RUBENSTEIN. Yes; all the time. I buy paper boxes from them, Morris, Ill., florist boxes.

Mr. GRIFFIN. Do you recall anything else that Jack called you about before November 22 of last year?

Mr. RUBENSTEIN. If you would give me an inkling I will give you an answer. I won't lie to you because I have nothing to hide.

Mr. GRIFFIN. Did he ever call you about Eva?

Mr. RUBENSTEIN. I think he was having a little trouble with Eva, I think. She was sick. Yes. Eva was sick and going for an operation, so I mailed her a check for \$100, make her feel better. I mailed it to the club. So Jack would give it to Eva so she would have \$100 to help her with the operation. That was it, and he loved me for it. He said that was wonderful. He said, she hasn't been up here for many years and she thought that we had completely ignored her. So he thought by doing that she felt closer to the family, that we were thinking of her.

Mr. GRIFFIN. Did he ever talk to you about Eva?

Mr. RUBENSTEIN. Always, always.

Mr. GRIFFIN. But I mean—

Mr. RUBENSTEIN. Whenever he called.

Mr. GRIFFIN. Last fall, did he ever make any special telephone calls about her?

Mr. RUBENSTEIN. I can't think of anything special.

Mr. GRIFFIN. Let's focus again on the twistboard. Was Jack planning to manufacture the twistboard?

Mr. RUBENSTEIN. No; somebody down there was making it for him.

Mr. GRIFFIN. Do you know of any other people he talked to about the twistboard in connection with promoting it?

Mr. RUBENSTEIN. He was going to call some other people. I don't remember who the names were. I wasn't too much concerned because frankly, I do not have enough time to donate to an item that is not relating to my business because when you walk into a department store, you can be tied up for 2 solid hours selling something to a buyer if you find him, and 2 hours a day is a lot of my time when I am on the road trying to call on my own customers. So, therefore, I wasn't too much interested, that is my answer.

Mr. GRIFFIN. Did Jack mention to you the names of any other people who were associated with him in the twistboard?

Mr. RUBENSTEIN. I can't think of the name. There is somebody down there, yes, but I don't know who he is. I wasn't concerned, I was only interested in Jack. If Jack wanted to promote it I was going to try to find him some other fellows to help with selling it. I never got any chance.

Mr. GRIFFIN. How many days a week do you work?

Mr. RUBENSTEIN. I am on the road 240 days a year when I am working right, you know, when I get started right, before November 1963.

Mr. GRIFFIN. You work Monday through Friday or Monday through Saturday?

Mr. RUBENSTEIN. Saturday.

Mr. GRIFFIN. Where were you on November 22, the day the President was shot?

Mr. RUBENSTEIN. I happened to be in Chicago. I was at the Harry Eichenbaum's store, Merrill Manufacturing Co.

Mr. GRIFFIN. When were you there, at what time of the day?

Mr. RUBENSTEIN. At the moment when the President got assassinated. When the people heard it on the radio, I didn't believe it, nobody believed it. Who could believe a thing like that? And then all of a sudden everything seemed to quiet down, the whole area, and then it finally leaked out that it was the truth. My God, you could know it is like an atomic bomb hit you. It is just one of those things. We all loved this guy. He was a real guy. He was a friend of our people, too, by the way, which is important to us in America.

Mr. GRIFFIN. What happened, what did you do after you learned the President was shot?

Mr. RUBENSTEIN. What was there to be done, nothing. Nobody could work. Everything seemed to stand still. I finished my business, what I had to do, I picked up some stuff downtown, I think—yes, I remember. I went out to the Flavor Candy Co. and picked up a couple of cases of candy because the girl told me about it the other day, she said, "Remember you were here on that Friday, November 22." She knew all about the family. She knows the family, and I says, "Was I here that day?" She says, "Yes. That is the last time we saw you." I didn't even remember where I was that day. I mean the thing hits you like a shock. It just isn't right, it isn't normal.

Mr. GRIFFIN. Do you remember what you did after that?

Mr. RUBENSTEIN. I probably went home. I probably did. I don't know, because I was home that Friday night.

Mr. GRIFFIN. Who is living with you at your house?

Mr. RUBENSTEIN. Marion Carroll, my sister, and Ann Volpert.

Mr. GRIFFIN. Did Marion and Ann normally work on Fridays? Were they both employed?

Mr. RUBENSTEIN. Yes.

Mr. GRIFFIN. So there would be nobody home during the day.

Mr. RUBENSTEIN. Right.

Mr. GRIFFIN. You have another sister, is that right, Eileen?

Mr. RUBENSTEIN. Eileen is married and lives about 2 miles west from where we do.

Mr. GRIFFIN. Does she work?

Mr. RUBENSTEIN. No; she has two little girls she has to take care of.

Mr. GRIFFIN. Do you remember what happened when you got home?

Mr. RUBENSTEIN. Friday?

Mr. GRIFFIN. Yes.

Mr. RUBENSTEIN. Yes.

Mr. GRIFFIN. Who you talked to and so forth?

Mr. RUBENSTEIN. Yes.

Mr. GRIFFIN. What happened? Let's try to take this, if we can, chronologically. What happened when you walked in the door?

Mr. RUBENSTEIN. I can't remember that particular incident. You mean what time I got home and what happened? I don't remember. I don't even remember who was home.

Mr. GRIFFIN. What is the first thing you remember doing when you were home that evening or afternoon?

Mr. RUBENSTEIN. The family was—our family couldn't believe it because it happened in Dallas. It was a bad rap for the city of Dallas and we having three members of our family down there, sort of like a black mark; you know, it sort of gets you. How come of all the places, in Dallas? You know. Then we got a call. Would you mind me telling you about?

Mr. GRIFFIN. Yes; I want to know about that.

Mr. RUBENSTEIN. At 9 o'clock Friday night we got a call from Jack. He felt very, very bad about.

Mr. GRIFFIN. How long did he talk to you?

Mr. RUBENSTEIN. Oh, quite a while.

Mr. GRIFFIN. How long would you say?

Mr. RUBENSTEIN. I would say 10 or 15 minutes. He was disgusted with the whole situation down there. He said, "You know this is a good time for me to sell out and come back up north."

Mr. GRIFFIN. Did he talk to you?

Mr. RUBENSTEIN. To me.

Mr. GRIFFIN. What did you say?

Mr. RUBENSTEIN. I didn't know what to tell him. What can I tell him. I am a thousand miles away from him. I don't know what the answer could be, I hadn't seen him in quite a while. I don't know what his position is down there. I couldn't see what his selling out would help with losing our wonderful President. It was too close to the assassination to even think. What could you tell a person?

Mr. GRIFFIN. Why did he want to sell out?

Mr. RUBENSTEIN. He was so disgusted and fed up with the whole God damn town, that is why.

Mr. GRIFFIN. He was upset with Dallas?

Mr. RUBENSTEIN. Absolutely.

Mr. GRIFFIN. All right. Tell us what he said that indicated that, and what his earlier problems had been that would have, you know, made him feel that way?

Mr. RUBENSTEIN. Well, he had no problems outside of this union, and the hiring, getting new girls for the show. That he probably could have straightened out eventually; and he was going all right. He was making money, I imagine, because I believe he was paying all his bills. I think he owed Uncle Sam a little money but he straightened that out eventually.

But the fact is that he probably didn't want to have any connection between a city that murdered his President and him—he just wanted to separate himself from that.

Mr. GRIFFIN. What did he say to you that indicated that?

Mr. RUBENSTEIN. Because he said, "This is a good time for me to sell out and come back up north."

Mr. GRIFFIN. That is all you can remember him saying?

Mr. RUBENSTEIN. That is all I can remember him saying. He says, he started

off, "Can you imagine, can you imagine," like that, and he sounded like he had tears in his eyes.

Mr. GRIFFIN. What else do you recall him saying during that conversation?

Mr. RUBENSTEIN. I couldn't say much, because we still felt that sickness when the President got shot.

Mr. GRIFFIN. Did you do most of the talking?

Mr. RUBENSTEIN. No; I let him talk, I wanted him to talk.

Mr. GRIFFIN. Why did you want him to talk?

Mr. RUBENSTEIN. Because he was so close to the situation. He was close to Dallas. He probably has got some facts that we didn't get out here.

Mr. GRIFFIN. Did you ask him what was going on down there?

Mr. RUBENSTEIN. No; I didn't ask him anything because I felt it was enough. I didn't want to know anything. That was enough to hear.

Mr. GRIFFIN. Were your two sisters home when you called?

Mr. RUBENSTEIN. Yes; I think that Mary spoke to him first and then I got on the phone.

Mr. GRIFFIN. About how long did you speak to him?

Mr. RUBENSTEIN. About, I would say 10 minutes.

Mr. GRIFFIN. How long did your sisters speak to him?

Mr. RUBENSTEIN. I don't know. We weren't—we had the television turned on, I had my television turned on, in the living room trying to get the news.

Mr. GRIFFIN. Now, are you clear in your mind that this conversation about thinking about coming back—

Mr. RUBENSTEIN. Yes; definitely.

Mr. GRIFFIN. No; that it happened on, at the 9 o'clock telephone call.

Mr. RUBENSTEIN. 9 o'clock telephone call, Friday night, the day of the assassination.

Mr. GRIFFIN. Well now, did Jack make some other calls to you in the next day or so?

Mr. RUBENSTEIN. I think he did. I think he did.

Mr. GRIFFIN. Do you think, do you have any clear recollection?

Mr. RUBENSTEIN. No; I think he called everybody. He called Eileen, and I think he called us, and he called Earl.

Mr. GRIFFIN. I am just asking you to think about what happened to you. What did you do after the telephone call?

Mr. RUBENSTEIN. I hung up. What is there to do?

Mr. GRIFFIN. What did you do the rest of the evening?

Mr. RUBENSTEIN. I sat down and watched the rest of the program on television.

Mr. GRIFFIN. Did you hear again from Jack that night?

Mr. RUBENSTEIN. I don't remember. I don't think we did. It was too late then.

Mr. GRIFFIN. How about—did you hear from any of your other friends or relatives?

Mr. RUBENSTEIN. Eileen called, I think, after that. She said, "Jack called me," my sister Eileen.

Mr. GRIFFIN. I see.

Mr. RUBENSTEIN. And she called the house, too.

Mr. GRIFFIN. Was your understanding that Jack called both you and Eileen?

Mr. RUBENSTEIN. Yes.

Mr. GRIFFIN. You think he talked to Eileen before or after?

Mr. RUBENSTEIN. I don't know, he could have called her before.

Mr. GRIFFIN. How do you fix the time of his call at 9 o'clock?

Mr. RUBENSTEIN. Good; I am glad you asked me that. Because when I was in Dallas during the trial they were supposed to subpoena me as a witness.

Mr. GRIFFIN. Yes.

Mr. RUBENSTEIN. Our wonderful lawyer Belli, so Eva and I sat in the hall through the whole trial waiting to be called as witnesses.

Mr. GRIFFIN. For your brother?

Mr. RUBENSTEIN. My brother Jack and also about this telephone call. Bob Dennison, our investigator, who the lawyer hired, gave me this message.

Mr. GRIFFIN. In other words, Bob Dennison had checked some records and found that you had—that he had made a call at that time?

Mr. RUBENSTEIN. He wanted me to have it so that I would be able to tell the judge and the jury exactly what happened that Friday night.

Mr. GRIFFIN. All right. What you have done is handed me an orange sheet of paper which says, "While you were out" and then there is a message written down on it, "Call to Hyman in Chicago, call made from WH 1-5601, to SH 3-0984 on November 22, 1963, on 9:02 p.m."

Mr. RUBENSTEIN. Do you want this?

Mr. GRIFFIN. No; I have read it into the record and that is satisfactory. Thank you.

Aside from that note that Mr. Dennison gave you what recollection do you have that you placed the call at about 9 o'clock?

Mr. RUBENSTEIN. I know it was after 8 o'clock because we had dinner late that evening or something, and I remember getting a call later on in the evening.

I didn't know it was exactly 9 o'clock. I didn't know, until Bob handed me the note.

Mr. GRIFFIN. Is there anything that places the call before 10 o'clock?

Mr. RUBENSTEIN. Yes.

Mr. GRIFFIN. What?

Mr. RUBENSTEIN. Too late. I mean we usually don't get many calls after 9 o'clock at home, usually.

Mr. GRIFFIN. Well, but—

Mr. RUBENSTEIN. Under normal procedures we don't.

Mr. GRIFFIN. Was there anything about this particular call that makes you think it was before 10 o'clock?

Mr. RUBENSTEIN. I think so. I don't know why. I can't give you a real honest answer, I don't remember.

Mr. GRIFFIN. Do you have a clear recollection that not only you talked with Jack but that your sisters Marion and Ann talked on that call?

Mr. RUBENSTEIN. I am almost positive.

Mr. GRIFFIN. Did Jack call you again the rest of the weekend? Did you hear from him again?

Mr. RUBENSTEIN. I think he did call.

Mr. GRIFFIN. When do you recall hearing from him?

Mr. RUBENSTEIN. I think he called Saturday night. I think he called the night after. I think so. I am not sure.

Mr. GRIFFIN. Do you remember anything about what was said at that time?

Mr. RUBENSTEIN. No; I don't because if I remember what he said I would remember if he would have called.

Mr. GRIFFIN. I want to ask you to think back again to this telephone call and ask yourself if other than this one statement that Jack made about wanting to close the place and come back to Chicago, if there was anything else that Jack said on the phone that indicated to you that he was disgusted and upset with the situation in Dallas, that is with Dallas as a place to stay.

Mr. RUBENSTEIN. All I can say is this: I believe from the tone of his voice he felt very much heartbroken and very sad and he felt he had lost a very dear friend and he wanted to get away from that site.

Like, let's say like, being removed from the scene of the crime. He just wanted to get away from it.

Mr. GRIFFIN. So when you talk about disgust or revulsion, do you mean to direct it, could it have simply meant that the recent—that the events that upset him—or do you think he made some special connection with the city itself that he was living in so he wanted—you know you have indicated here he was making some special connection with this place as a place he wanted to have nothing more to do with it?

Mr. RUBENSTEIN. Yes; that is the way he felt because he lost a very dear friend, that is what I am trying to bring out. He just wanted to get away. He wanted to sell out and he was having—

Mr. GRIFFIN. Did he indicate what he would do after that?

Mr. RUBENSTEIN. With a fellow like Jack you don't have to worry what he can do. He can do a thousand things and make a living. He is very capable. And he has got a good mouthpiece. He has proved it before he went into the night-

club business. He was in the manufacturing business with Earl, he walked out with a nice piece of change.

Mr. GRIFFIN. Are you in the habit of keeping your papers and records that you make over the years. Do you retain these?

Mr. RUBENSTEIN. What kind of papers?

Mr. GRIFFIN. Receipts and check stubs and things of that sort.

Mr. RUBENSTEIN. I try to. I try the best I can in my own small way. I am my own bookkeeper, my own recorder, my own lawyer, and my own everything and I try to keep them as best as I can.

Mr. GRIFFIN. How far back do you keep them?

Mr. RUBENSTEIN. You are supposed to keep them for 4 years, you know.

Mr. GRIFFIN. How long do you keep them?

Mr. RUBENSTEIN. I try to keep them for 4 years.

Mr. GRIFFIN. Do you recall that when you were interviewed by one of the FBI agents that you showed him your receipt for the piano that you sent? How did you happen to keep that?

Mr. RUBENSTEIN. By accident. Just one of those incidents. Did you see the color of that sheet, how it looked?

Mr. GRIFFIN. I haven't seen it.

Mr. RUBENSTEIN. Oh, brother. You would never believe that a receipt would last that long. Of course, you could always check it with the piano company.

Mr. GRIFFIN. What did you do on Saturday, the 23d of November?

Mr. RUBENSTEIN. I don't remember. If I had my daybook here—I have a daybook I keep my notes in for what I am supposed to do, like you lawyers do.

Mr. GRIFFIN. Did you go to work?

Mr. RUBENSTEIN. I don't remember. I could get my daybook and tell you exactly what I did, nothing to hide.

Mr. GRIFFIN. Do you have it here in Washington?

Mr. RUBENSTEIN. No; I can tear out the sheet and mail it to you. Would you like that?

Mr. GRIFFIN. It would be fine. Would you want to make a note of that? In fact, if you can run off a copy just send us a copy.

Mr. RUBENSTEIN. I don't need it. What do I need it for? I have nothing to hide.

Mr. GRIFFIN. Why don't you send us——

Mr. RUBENSTEIN. The whole book. Do you want the whole book, you can have it. Mail the book. I have nothing to hide in there. A couple of telephone numbers, call them and say I said hello.

Mr. GRIFFIN. What did you do on Sunday, do you recall getting up on Sunday the 24th?

Mr. RUBENSTEIN. I had breakfast and went out for the newspapers and I came back and all of a sudden there was—was there anybody in the house at that particular time—oh, that was a black Sunday. Eileen called, screaming. Eva called, screaming, and they hung up. All we could get was "Jack Ruby, Dallas," you know.

I turned on the television, turned on the television and they showed the event of everything, you know, the recording of what took place. We couldn't believe it. I still don't believe it. I still don't believe it.

Mr. GRIFFIN. Did you first learn of what Jack had done from your sisters?

Mr. RUBENSTEIN. Yes. They called.

Mr. GRIFFIN. You, I take it, were not watching television or listening to the radio?

Mr. RUBENSTEIN. No. I didn't think I was. Because I was walking through the hallway when the phone rang and I forget whether I picked up the phone or Mary picked up the phone. You see Ann doesn't answer the phone because she doesn't get many calls. Her son is on the west coast, so we, Mary and I, pick up the phone. It was like an atomic bomb hitting the top of the house and everything caved in on you, like a disaster. It is just unbelievable. If a family has incorrigibles where they get into trouble and you get them out of jail, and the family is used to it, you know, you feel OK. But we never had anything like that in our lives, nothing. We are not accustomed to such things. We all work for a living, some of us work very hard. We are not the notorious type,

we don't care for no publicity. We all have pretty good personalities. My customers still laugh at my corny stories I tell them the year before. I don't have to impress anybody. We don't go for none of that big shot stuff.

So, when this thing hit us, you people can't imagine, and then the phone started to ring. It kept ringing from that Sunday morning from reporters, and newspaper people from all over the country, and it just didn't stop. We didn't know what to say. It was just sickening. We had no answer for them.

Mr. GRIFFIN. Did you have occasion to go to Dallas at any time in the fall of—before the President was assassinated?

Mr. RUBENSTEIN. No.

Mr. GRIFFIN. Did you go to Dallas afterward?

Mr. RUBENSTEIN. Yes.

Mr. GRIFFIN. When did you go?

Mr. RUBENSTEIN. Just before Christmas, let's say December 23, 24, and 25. No; on Christmas day I was on the road so I probably was there for 2 or 3 days around that period.

Mr. GRIFFIN. Now, did you know any of Jack's friends in Dallas?

Mr. RUBENSTEIN. No; because I wasn't familiar with Dallas.

Mr. GRIFFIN. Did you know Ralph Paul?

Mr. RUBENSTEIN. I met him later.

Mr. GRIFFIN. Had you known him before then?

Mr. RUBENSTEIN. Never even heard of the name.

Mr. GRIFFIN. How about George Senator?

Mr. RUBENSTEIN. Never heard the name.

Mr. GRIFFIN. Did you have anything to do with raising money for the defense?

Mr. RUBENSTEIN. Yes.

Mr. GRIFFIN. Tell us what you had to do with that.

Mr. RUBENSTEIN. Here is a copy of, almost like this that we placed in certain newspapers.

Mr. GRIFFIN. I will simply read this into the record. You have handed me a sheet of paper on which is printed in capital letters on the first line, "Appeal for Fair Play." And on the second line "Save Jack Ruby" with three exclamation marks after it. Then in lowercase letters with the initial capitals "Funds for his Defense Needed" on one line. "Send your Contributions to:" on the next line, and then in all caps under that "Jack Ruby Defense Fund Committee," then with initial caps and lowercase letters "P.O. Box 5226, Chicago 80, Illinois."

Mr. RUBENSTEIN. Right.

Mr. GRIFFIN. That is an advertisement you say you ran?

Mr. RUBENSTEIN. They ran it in several newspapers. One was the New York Times, I believe. It was rather unsuccessful, rather unsuccessful. But here is one we sent out 2,000 letters and we lost \$200 out of it. We got \$5 back.

Mr. GRIFFIN. This is a copy of a letter on the stationery headed "Jack Ruby Appeal Committee".

Now, do you want this stationery?

Mr. RUBENSTEIN. You can have it. Just keep it. Keep this, too, so you will have it for your records.

Mr. GRIFFIN. All right. Let me mark the "Appeal for Fair Play" advertisement as "Washington, D.C., deposition of Hyman Rubenstein, June 5, 1964, Exhibit No. 1," and let me ask you if you will sign it.

Mr. RUBENSTEIN. Down here?

Mr. GRIFFIN. Yes.

Mr. RUBENSTEIN. All right.

(Hyman Rubenstein Exhibit No. 1 was marked for identification.)

Mr. GRIFFIN. And the next piece of paper, the letter on Jack Ruby Appeal Committee stationery I am going to mark "Washington, D.C., deposition of Hyman Rubenstein, June 5, 1964, Exhibit No. 2," and ask you if you will sign this also.

Mr. RUBENSTEIN. Sure. I have got "Hy Rubenstein."

Mr. GRIFFIN. That is all right.

(Hyman Rubenstein Exhibit No. 2 was marked for identification.)

Mr. GRIFFIN. All right.

Now, Exhibit No. 2 is a letter addressed to "Dear Friend" dated April 30, 1964, and signed by Michael Levin, Chairman of the Jack Ruby Appeal Committee.

Members of the committee listed on the left-hand side are Michael Levin, Chairman, Marty Eritt, Blanca Fortgang, Elmer Gertz, Ann Osborne, Barney Ross.

Who is Blanca Fortgang?

Mr. RUBENSTEIN. I don't know, probably a friend of Mike Levin.

Mr. GRIFFIN. Who is Elmer Gertz?

Mr. RUBENSTEIN. Also the fellow who got the letter up and the ad up, a friend of Mike Levin.

Mr. GRIFFIN. Who is Ann Osborne?

Mr. RUBENSTEIN. I don't know who she is. I think she is the one who got the letter out and got the list of names that was submitted to Mike Levin, the 2,000 names that cost us \$200.

Mr. GRIFFIN. Now were Fortgang, Gertz, and Osborne friends of your brother, did they know Jack?

Mr. RUBENSTEIN. No. I am almost positive that not one of those people even know Jack.

Mr. GRIFFIN. How about Mike, Michael Levin.

Mr. RUBENSTEIN. Mike is our family lawyer. Mike knew Jack ever since he was a kid.

Mr. GRIFFIN. How about Marty Eritt?

Mr. RUBENSTEIN. Marty Eritt I told you they probably went to school together and probably knew each other on the West Side.

Mr. GRIFFIN. Barney Ross?

Mr. RUBENSTEIN. Barney Ross he has known all his life.

Mr. GRIFFIN. What was your connection with the Jack Ruby Appeal Committee?

Mr. RUBENSTEIN. It was hard to get members names. A lot of people, business people, don't want to put their names on this kind of a committee. So I used my name, I said, "Mike, go ahead and use my name."

I had nothing to hide and nothing to be ashamed of. We needed money. Those trials are expensive, gentlemen.

Mr. GRIFFIN. Who was handling the funds for the defense?

Mr. RUBENSTEIN. Earl.

Mr. GRIFFIN. How about the money that was raised by the Jack Ruby Appeal Committee? Did Earl have anything to do with that?

Mr. RUBENSTEIN. Earl.

Mr. GRIFFIN. Did you have anything to do with the raising of funds other than this letter and this advertisement?

Mr. RUBENSTEIN. Nothing outside of these two.

Mr. GRIFFIN. When was the first time that you talked with your brother Jack after the shooting?

Mr. RUBENSTEIN. I think it was down in Dallas. I believe it was down in Dallas when I was down there.

Mr. GRIFFIN. That was December sometime?

Mr. RUBENSTEIN. Yes, sir, either the 22d or the 23d of December is as close as I can get to it.

Mr. GRIFFIN. Do you recall seeing him on that occasion?

Mr. RUBENSTEIN. Yes.

Mr. GRIFFIN. Do you recall how long you talked to him?

Mr. RUBENSTEIN. Quite a while. I think I was there with Eva, and who else was down there, Sammy.

Mr. GRIFFIN. Can you tell us what you said to him and what he said?

Mr. RUBENSTEIN. What did we talk about: Something about, this is the gist of it if I can remember right because I walked away thinking about it to myself that he loved the President and something happened to him, that he don't remember exactly what it was, and all that I remembered is the last time when he was down at the Western Union office when he wired that dancer of his \$25

that she needed for room rent and I says, "What else, Jack?" And he said, "That is all I can remember."

Then he mentioned something about the policemen down in Dallas. He said they lied. He said, "I didn't say any of those things."

Mr. GRIFFIN. That would have been after the trial that he mentioned that to you. I am talking about conversations he had before the trial.

Mr. RUBENSTEIN. Oh, that is right, yes.

Mr. GRIFFIN. Do you remember that meeting?

Mr. RUBENSTEIN. Well, there wasn't much to say. First of all they have a little piece of glass that big that you can see him through.

Mr. GRIFFIN. You are indicating about 6 by 6.

Mr. RUBENSTEIN. It is hard to talk to people through a piece of glass like that. You have got a barrier between you. He looked good. Jack looked good, but he didn't act right. He looked disturbed to me.

Mr. GRIFFIN. What about him, what did you see that——

Mr. RUBENSTEIN. He wasn't our Jack 100 percent. There was something bothering him.

Mr. GRIFFIN. You don't know?

Mr. RUBENSTEIN. I don't know. I am not a psychiatrist. I can't figure the man out. We knew it wasn't right. We thought it was the environment in the jail, maybe he was mistreated.

Mr. GRIFFIN. Are you talking about the time you saw him before the—before Christmas?

Mr. RUBENSTEIN. Yes.

Mr. GRIFFIN. What did he say or what indications did you see about his face or mannerisms?

Mr. RUBENSTEIN. Something like "What are they keeping me here for, what have they got me in here for?"

Half sentences. He asked me if I called certain people and here I haven't even known any people. He gave me a list of names to call and I tried to write them down, you know, quick and I didn't know nobody. I didn't want to argue with him. I didn't want to aggravate his situation. I didn't want to disturb him any more than I had to and he gave me names, called off names, I said I will get in touch with them.

Later on when I went out with Eva, I said, "Who are these people I am supposed to call?" She says, "Forget about it. He gives me the same thing, people I am supposed to see and call to help him." I didn't know. And he wanted us to get every lawyer in the State of Texas. "Did you call this guy? Did you call Percy Foreman and did you call him?" I didn't know anybody. We didn't know who to call. We were strangers in Texas. We were never in trouble before.

Mr. GRIFFIN. Did he ask you to call people other than lawyers?

Mr. RUBENSTEIN. His personal friends, his personal friends. I think some owed him some money, no names were mentioned that Eva didn't know. She knew all the names he mentioned. That is why she told me to forget about it. She probably had already contacted them. Friends in Dallas, personal people who were either very dear friends of his and club members. And he was worried more about the dogs than he was about anybody else.

Mr. GRIFFIN. Was the occasion that you went down to see him before Christmas, was that at the time of the bail bond hearing? Do you remember the hearings?

Mr. RUBENSTEIN. I don't remember what the hearing was but I was down there.

Mr. GRIFFIN. Did you go down there for a hearing in December?

Mr. RUBENSTEIN. I don't remember. I think it was a bail bond hearing.

Mr. GRIFFIN. You say he was more concerned about the dogs?

Mr. RUBENSTEIN. Yes.

Mr. GRIFFIN. Than anything else?

Mr. RUBENSTEIN. Yes, sir; worried about his dogs. I figured that was odd. Here is a man incarcerated, in prison for a shooting and here he is worried about his dogs and that didn't make any sense to me.

You know, there was no logic there. I can understand how a man can be in love with a dog or dogs but why bring it up at a time like that.

MR. GRIFFIN. You indicated to me that you saw him during the trial or after the trial?

MR. RUBENSTEIN. Oh, yes.

MR. GRIFFIN. How many times did you see him in the course of the trial?

MR. RUBENSTEIN. Wait a minute. In the course of the trial, I couldn't see him in the courtroom but we saw him in the evening, I think—I think we were allowed to see him in the evening, I think. I am not sure. I don't want to make a statement I am going to be responsible for because I can't—I think we saw him in the evening. Yes; I think we saw him in the evening, after the trial. I think the hours were from 7:30 to 8:30 and the sheriff was very nice. He let all of us go up one time, the family.

MR. GRIFFIN. Were you allowed in his jail cell?

MR. RUBENSTEIN. Oh, no; outside, through that little piece of glass only.

MR. GRIFFIN. Would you describe that cell? Is there any other, is it possible to see out other than through that glass?

MR. RUBENSTEIN. See what out?

MR. GRIFFIN. If you are inside were there any other windows, could you look in through the glass and see windows or anything in that cell?

MR. RUBENSTEIN. No; it is inside. It is inside the center. It is one of these rooms that are inside, see. It is a separate room. It is not his room. It is like a visiting room that they bring him in from another part of the building into this particular room.

MR. GRIFFIN. So you didn't see the cell that he was in?

MR. RUBENSTEIN. His own personal cell?

MR. GRIFFIN. Yes.

MR. RUBENSTEIN. No.

MR. GRIFFIN. Are you able to see anything of the prisoner other than through this glass, this 6-inch glass?

MR. RUBENSTEIN. Just about up to here is all you can see.

MR. GRIFFIN. You are indicating about the middle of your chest.

MR. RUBENSTEIN. That is all.

MR. GRIFFIN. Is there anything you want to tell us about the conversations you had with him?

MR. RUBENSTEIN. In general, how he is feeling, how he is getting along. How is the food. The sheriff told us that "Any time he doesn't like to eat the stuff we give him," and this was also \$20 left downstairs for him someplace so that Jack could order what he wanted but nobody was allowed to bring in any food or candy from the outside, only the sheriff.

MR. GRIFFIN. But there was money left downstairs for him?

MR. RUBENSTEIN. Oh, yes; we would do that for a stranger. It is our brother.

MR. GRIFFIN. Has he been supplied, has money been made available to him throughout his incarceration?

MR. RUBENSTEIN. He received quite a bit of money from people who send it in to him, you know voluntarily, telegrams, letters, money, money orders. He got money from all over the country. One country in Europe invited him to come over as a guest.

MR. GRIFFIN. Did you see the letter of the invitation?

MR. RUBENSTEIN. I think we have the letter home.

MR. GRIFFIN. What country was that?

MR. RUBENSTEIN. I think Rhodesia.

MR. GRIFFIN. Has the family, however, provided sort of a weekly allowance for Jack?

MR. RUBENSTEIN. We could always see that Jack would get whatever he needs. They don't allow too much in there in the first place.

MR. GRIFFIN. But you indicated he was left, at least while you were down there during the trial he was left, enough money so that he could order meals from the outside.

MR. RUBENSTEIN. If he wanted it, naturally.

MR. GRIFFIN. How about before the trial, was he given money for that purpose?

Mr. RUBENSTEIN. I don't know. I think he had money because he was getting donations all the time in letters.

Mr. GRIFFIN. I see.

Mr. RUBENSTEIN. Telegrams by the hundreds.

Mr. GRIFFIN. How did he feel about those letters and telegrams?

Mr. RUBENSTEIN. He felt pretty good that he didn't fight the case alone. He felt like he had help.

Mr. GRIFFIN. What did he think the cause was?

Mr. RUBENSTEIN. Of course, there was always cranks who didn't agree with what he did. We don't agree with what he did, either. You don't avenge a wrong with another wrong but I told the television people this, and I am going to tell it to you. Chances are this was a hundred million people. If they were down in Dallas at the same time Jack was, if they had a gun in their hand they probably would have done the same thing. I don't say they would have, probably. Just one of those incidents. May I add something?

Mr. GRIFFIN. Yes.

Mr. RUBENSTEIN. Jack left a Western Union office at 11:17, stamped by his receipt from the money order that he mailed to Fort Worth. The maid knocked on his door at 8 o'clock that morning to clean up his room. Jack says, "Come back at 2 o'clock." Which meant he wanted to sleep. The girl called him at 10 o'clock from Fort Worth, about there, Jack got up, took his dog, Sheba, drove down to the Western Union, wired \$25 to this, I can't think of her name.

Mr. GRIFFIN. Little Lynn?

Mr. RUBENSTEIN. Little Lynn.

He saw the commotion about 450 feet down, and he wanted to know what was going on and he just happened to be there, and it was figured out 6 more seconds Jack would have missed the whole thing, if he had hesitated, because they were walking Oswald from the station to the wagon.

Mr. GRIFFIN. Did you talk to Jack at all about his activities prior to the shooting and how he got in?

Mr. RUBENSTEIN. No, no; we didn't even mention anything like that. We weren't concerned with what happened before. We were worried, we were wondering and worried why, and the only answer I can give you is he must have blacked out. You just black out and you do things like that. It is like punching somebody in the nose and then you feel sorry for it later.

Mr. GRIFFIN. Perhaps this would be a good time for you, unless you want to break for lunch now—

Mr. RUBENSTEIN. I don't care. Can I add something to this?

Mr. GRIFFIN. I would like to ask you if we can go on here maybe we can finish up.

Mr. RUBENSTEIN. In an hour?

Mr. GRIFFIN. Less than that. Why don't you take an opportunity now to tell us what you would like to tell us that I haven't covered in the questioning.

Mr. RUBENSTEIN. May I add how a person can possibly shoot a guy like Oswald, may I give you an example?

Mr. GRIFFIN. Certainly.

Mr. RUBENSTEIN. A player is sitting on the football bench, a sub. A man on the opposite team is running with the ball. The player gets off the bench and tackles the guy with the ball. What do you call the instinct, compulsion. That is the same situation with Jack. How do you account for it. You don't know. He had no business getting off that bench. He is not even playing in the game any more than Jack had any business being in that station. That is my answer why Jack did it. May I add this?

Mr. GRIFFIN. Yes.

Mr. RUBENSTEIN. That police department is using Jack as a scapegoat for their mistakes. Anything—they have nobody else to blame it on, Jack Ruby. "You were responsible for the whole deal." They are blaming everything on him, and that is one of the reasons why these policemen lied to save their own skins.

Mr. GRIFFIN. Which policemen?

Mr. RUBENSTEIN. All five that testified. Jack never said those things. He told me he never said those things about going to shoot him three times. No

man tells you he is going to shoot a person three times. And then about him saying that the Jews are cowards and he stuck up for the Jews.

Jack is not that type of a guy because he doesn't talk about those things. Sure he is a Jew but you don't go out telling the world about it.

Mr. GRIFFIN. Do you recall the things that Jack specifically denied when he talked to you about those policemen's testimony?

Mr. RUBENSTEIN. Yes, sir.

Mr. GRIFFIN. Tell us which ones they were?

Mr. RUBENSTEIN. All of them. He said—Jack did not talk to any of the policemen at all. He said he didn't say anything like that at all to them. He don't even recall mentioning anything that those five policemen testified that he talked to them about, anything like that.

Mr. GRIFFIN. Did he mention those specific things or did he just talk generally about it?

Mr. RUBENSTEIN. Just generally.

Mr. GRIFFIN. So when you mentioned, for example, you said something about the Jewish motivation or whatever it was.

Mr. RUBENSTEIN. Yes; I don't think Jack would talk like that to a businessman.

Mr. GRIFFIN. Did Jack mention that particular topic to you?

Mr. RUBENSTEIN. No, no, no.

Mr. GRIFFIN. How about the shooting the three times, did he mention that particular incident?

Mr. RUBENSTEIN. No; but he said he would never discuss those things in general.

Mr. GRIFFIN. Go ahead.

Mr. RUBENSTEIN. That television man who was downstairs taking movies of the thing, he made—he was testifying on the stand that at 10:25 and at 10:35 Jack came over and asked him twice when they were going to bring out Oswald. If he was 11:17 in the Western Union and got up to mail the money to this Little Lynn what would he be doing down at the station at 10:25. And who would dare walk into a police station with 30 policemen in front of television and radio reporters and shoot anybody unless you blacked out. The man must be crazy to do that.

Mr. GRIFFIN. This one episode about the police officers' testimony is apparently something that sticks in your mind. How many conversations did you have with Jack about the policemen's testimony?

Mr. RUBENSTEIN. Didn't have hardly any. We don't talk about those things, what happened at the trial. We didn't want to relive the trial. We didn't want to relive the shooting even.

Mr. GRIFFIN. When did you first hear about, when did you first hear Jack deny that he had said the things that the policemen testified to?

Mr. RUBENSTEIN. It either could have been in December or it could have been right, at one of the nights of the trial. I don't remember which. I don't know when those statements were made. It could have been after the trial. Because that is when the FBI took the report, too, I think.

Mr. GRIFFIN. Who else was present?

Mr. RUBENSTEIN. Eva and Earl.

Mr. GRIFFIN. Sam?

Mr. RUBENSTEIN. Sam might have been present at another time but I don't think he was present at that particular time. It could have been. I don't remember, you know when you have got problems on your head that are heavy, you don't pick out, pinpoint different things. Nobody is that good.

Mr. GRIFFIN. Well, do you recall, can you form a visual image in your own mind of going up there and seeing Jack on the occasion that he talked about the police officers' testimony?

Mr. RUBENSTEIN. No; because we saw him often. We saw him many times, we saw him in the evening during the trial and after the trial we saw him in the afternoon and evening both. So there was a lot of visits made between myself and also other members of the family.

Mr. GRIFFIN. How about anything else about Jack, that might have caused Jack to do this. Do you have any other things you want to tell us about that?

Mr. RUBENSTEIN. I believe I have mentioned the most important things and

gave you gentlemen some good examples. Yes; you didn't ask me what led up to this thing, how come?

Mr. GRIFFIN. That is what I am asking you now.

Mr. RUBENSTEIN. Did you know he went out at 3 o'clock in the morning with George Senator and Larry Crafard, the kid that watched the nightclub, at nighttime and took tickets for Jack, Jack charged \$2 a ticket to get into his club. It was no bums' hangout. It was a classy joint. So Larry used to take the tickets and also sleep there at nighttime. Jack got up to go at 3 o'clock in the morning one time, and this was told to me by both, George Senator and Larry, they went out and they took a picture of a great big billboard, "Impeach Earl Warren," the pictures and camera were in the car that Jack was going to use as evidence when the city policemen confiscated his car, you can make a note of this, they took the camera, they took the pictures, they took his adding machine, and they took his spare tire. What a bunch of characters down there.

Mr. GRIFFIN. What has become of that?

Mr. RUBENSTEIN. We would like to know. They took his diamond ring, they took a very good wristwatch.

Mr. GRIFFIN. Have you asked for that?

Mr. RUBENSTEIN. And his blue suit he wore when he shot Oswald, we would like to have that all back, and his gun.

Mr. GRIFFIN. Have you asked for it?

Mr. RUBENSTEIN. I think they have but they haven't had any success. If Jack cannot have the gun, then we would like to submit it to the Smithsonian Institution or in his library.

Mr. GRIFFIN. Kennedy's Library?

Mr. RUBENSTEIN. That is right. Because Jack bought the gun legitimately in a Dallas store under his name. And also when he walked into that newspaper office, and there was a big black border around, a full page ad signed by somebody by the name of Weissman, Jack didn't like that.

Mr. GRIFFIN. When did you hear about that?

Mr. RUBENSTEIN. Eva told me this. Eva says, "You know, Jack came here one day showing me all this thing and I couldn't believe it."

You know, when a person reads a paper you don't always pay attention. It was addressed not to the President of the United States. I understand the ad was addressed to Mr. Kennedy with grievances, signed by the committee. With a post office and box number in Dallas, with a black border around a full-page ad. When Jack was changing the ad of his closing dates of the club the minute the President got shot in the newspapers, he got ahold of someone in the newspaper office, as I understand it, and that man will have to testify, and Jack said to him, "Do you have to accept an ad like this? Is business that bad? The other newspapers in town didn't take it." Then he went over Saturday morning to the post office and got ahold of one of the clerks and he says, "Can you tell me who belongs to this post office box number," and the clerk says, "We can't tell you that."

Mr. GRIFFIN. Hyman, what do you think is the significance of Jack's concern with the ad and with the "Impeach Earl Warren" sign?

Mr. RUBENSTEIN. And the ad calling Mr. Kennedy instead of "Mr. President," with the grievance committee to—

Mr. GRIFFIN. What do you think that signifies about Jack's concern?

Mr. RUBENSTEIN. He didn't like the signature for one which was a Jewish name. And he thought it was another organization disgracing the Jews.

Mr. GRIFFIN. How do you get that impression that that was his—how do you get that impression?

Mr. RUBENSTEIN. That is the way it would hit me. Why would an organization like this put down the name Weissman and put down all these grievances in the newspapers with a black border around it and then—oh, when he couldn't find—when Jack couldn't find—the name of the owner of the post office box so he asked the clerk, "Does this ad belong to Oswald," and the clerk says, "I can't answer you that, either." He thought there was a connection between this and Oswald, and Oswald was using a phoney name in the ad.

Mr. GRIFFIN. Has Jack told you any of that?

Mr. RUBENSTEIN. Eva, because Eva spoke to Jack about it, and Jack told Eva that.

Mr. GRIFFIN. So it is your understanding that Eva learned this from Jack?

Mr. RUBENSTEIN. From Jack directly.

Mr. GRIFFIN. And he thought Oswald was using a phoney name in the advertisement and trying to disgrace the Jews?

Mr. RUBENSTEIN. And also disgracing the President. You don't call a President Mr. Kennedy. You call him Mr. President with respect to his title. And also trying to disgrace the name of Earl Warren, Supreme Court Justice of the United States.

Mr. GRIFFIN. And he thought Oswald might have done the same thing?

Mr. RUBENSTEIN. Right or his organization or somebody connected with that group whoever it was. He couldn't understand it, somebody was doing it. There was the evidence and that bothered him. It kept boiling in him and boiling in him and finally he blew up and when he saw Oswald then he really blew up, and that is all I can tell you, gentlemen.

Mr. GRIFFIN. Do you know or have you heard of anything that happened in Dallas between the time the President was shot and the time that Jack shot Oswald—

Mr. RUBENSTEIN. Yes.

Mr. GRIFFIN. That would have led Jack to think that other people thought the Jews were behind the assassination of the President?

Mr. RUBENSTEIN. No; I did not hear anything like that. You see we didn't go down to Dallas—I didn't go down there to Dallas—until almost Christmas time. That was almost a whole month so I didn't know anything about it.

Mr. GRIFFIN. I want to make sure my question is clear because it is possible that it can be misunderstood. I am not suggesting that the Jews were—that the Jews were behind the assassination.

Mr. RUBENSTEIN. Of course not.

Mr. GRIFFIN. What I am suggesting is that there might have been that kind of talk in Dallas which might have disturbed Jack and whether you heard that there was, whether you heard that there was such kind of talk going on in Dallas that did disturb him.

Mr. RUBENSTEIN. The only talk that I heard from people in Dallas that there are a lot of anti-Semites who don't like Jews. That is the only talk I heard.

Mr. GRIFFIN. Where? Had you heard that before you went down to Dallas?

Mr. RUBENSTEIN. No; after I got down there.

Mr. GRIFFIN. Did you have any personal experiences with Jack that would shed some light on his sensitivity about his position as a person of Jewish background in the community—personal experiences that you would have?

Mr. RUBENSTEIN. Except what I heard from the Bund meetings in Chicago from his friends. His own friends told me he used to go break them up, and that takes a little guts to walk into a meeting and break it up, in my opinion. How many guys would do that?

Mr. GRIFFIN. I am going to digress here a bit.

Mr. RUBENSTEIN. Good, go ahead.

Mr. GRIFFIN. Did you, when you were traveling in Michigan on your job, did you have occasion to visit Earl, your brother Earl, at his home?

Mr. RUBENSTEIN. At the plant?

Mr. GRIFFIN. At the plant.

Mr. RUBENSTEIN. Sure; several times.

Mr. GRIFFIN. Did you ever have occasion to use his telephone, make calls from his plant?

Mr. RUBENSTEIN. I possibly could have.

Mr. GRIFFIN. Did you—have you ever had any dealings with any people in Massachusetts in the course of your business?

Mr. RUBENSTEIN. Yes; the Necco Confectionery Co., 254 Massachusetts Avenue, Cambridge 39, Mass.

Mr. GRIFFIN. What were your dealings with them?

Mr. RUBENSTEIN. If you give me an order for \$100 or \$150 for ribbons or for novelties whatever you use in your florist business, I like you. I like you. So I go to my car and I says, "Wait a minute, I have got something for the

wife, not for you," tease you. I go over and I get a can of imported English candy. "Take this home to the family." "Thank you, Hy, come back again, you are a nice guy." That is how I had business in Massachusetts.

Mr. GRIFFIN. When were you doing this now?

Mr. RUBENSTEIN. Always. I still do it. I got a half case home now.

Mr. GRIFFIN. Any other candy companies you deal with?

Mr. RUBENSTEIN. Flavor; same thing. I buy half pound bags of hard candy, if the order is only \$50, I can't afford to give them a box of candy, mints.

Mr. GRIFFIN. How about the Welch Candy Co.?

Mr. RUBENSTEIN. Never, don't even know them. But I think this Necco bought out the Welch Co., but I am not sure. That Necco is a big outfit now but I never done any business with Welch.

Mr. GRIFFIN. Have you ever had any occasion to communicate with any people in Latin America?

Mr. RUBENSTEIN. Yes; I think I sent down one time a sample, somebody gave them my name, how I got it, I don't know, some ribbons. He wanted me to quote them prices on ribbons. So I mailed them some sample ribbons. I never heard from them no more.

Mr. GRIFFIN. Where was it?

Mr. RUBENSTEIN. I don't remember, this was years ago, 5, 6 years ago.

Mr. GRIFFIN. How about—have you any occasion to communicate with anybody in Havana?

Mr. RUBENSTEIN. I don't know anybody in Havana. Jack had friends there. Jack had a lot of friends there when the gambling was going good and one of his friends from Dallas was a big shot down there and he invited Jack down. Jack told me this himself. He invited Jack down to stay with him for a week and Jack flew down, I think, I think.

Mr. GRIFFIN. Let me ask you this question directly.

Mr. RUBENSTEIN. Yes.

Mr. GRIFFIN. Do you recall ever having sent a telegram to Havana, Cuba, from your brother Earl's telephone?

Mr. RUBENSTEIN. A telegram? No. I would have no reason for it.

Mr. GRIFFIN. Can you think of anybody outside of Earl's family or employees who might have used his business phone?

Mr. RUBENSTEIN. Earl has got 110 employees, God bless him. You know anybody can pick up a phone in an office with 110 employees and make a call or call Western Union and charge it to the phone.

Mr. GRIFFIN. I am asking you outside of that.

Mr. RUBENSTEIN. No; I never did, no. Havana, Cuba, is as strange to me as what was that word I gave you before, as Rhodesia. I think Jack went down there one time and he had a connection for automobiles. This was when Castro first went down there, I think it was in 1959. At that time Castro was a friend of the United States. Jack was going to try to sell them a lot of trucks or cars or something. Anyhow, the deal fell through, whatever it was, with his friends from Dallas; may I add this?

Mr. GRIFFIN. Yes.

Mr. RUBENSTEIN. If you are trying to infer that Jack had any connections with Castro or communism, that is not our brother. First of all, Jack couldn't even spell communism. I mean it in the sense of the word, the relationship, none.

Mr. GRIFFIN. Let me say I don't want to infer anything. I am simply asking you questions to clarify matters.

Mr. RUBENSTEIN. You can clarify it right now. I will bet my life that Jack wouldn't have anything to do and never did with anybody. Jack didn't go for that kind of stuff. He wasn't that kind of a man. These Communists are supposed to be well read, beatniks, students of universities. Jack doesn't qualify for that kind of a deal. His friends are showgirls, tavern owners, gamblers, other nightclub people, promoters, manufacturers, that was his life, that is all. He opened two nightclubs. What has he got to do with these other kinds of people? What has he got to gain by it? He was doing good. He wore good clothes.

Mr. GRIFFIN. Did he have any political interests?

Mr. RUBENSTEIN. I don't think so; not in Dallas, I don't think in Dallas.

Mr. GRIFFIN. Did he have any political interest in Chicago?

Mr. RUBENSTEIN. I was the only politician but we were all Democrats for me.
Mr. GRIFFIN. Did Jack get involved in politics at all in Chicago?

Mr. RUBENSTEIN. No.

Mr. GRIFFIN. Did you ever discuss politics with him?

Mr. RUBENSTEIN. I never even knew the incidents about the chair with Roosevelt until this manager of the Zebra, the manager of the Zebra Cafe on 63d Street, I have got to get you his name——

Mr. GRIFFIN. Yes.

Mr. RUBENSTEIN. Told me about it. I never heard of it because he doesn't talk about those things.

Mr. GRIFFIN. Can you think of anything else that you want to bring to the attention of the Commission?

Mr. RUBENSTEIN. Jack was a loyal 1,000 percent American, served in the Army for 3 years with the best record of our family, of all the boys who were in the service, and by the way, when my father went down with Jack and Earl and Sammy to enlist in the service, my father says to the recruiting officer, "Take me" and he must have been at least 65 years old.

Mr. GRIFFIN. Jack didn't go into the service until some time in 1943?

Mr. RUBENSTEIN. Right. After I came out he went in.

Mr. GRIFFIN. And Jack applied for deferment initially, didn't he?

Mr. RUBENSTEIN. Yes; because he was the only one home. We were all in. My mother was alone. Earl was in, Earl was in the Seabees, Sammy was in the Air Corps and I was in the Field Artillery.

Mr. GRIFFIN. There has been a rumor that Jack feigned a hearing disability in order to avoid military service?

Mr. RUBENSTEIN. Not Jack. No; not Jack. No; he was a good soldier and I told you before he had the best record of all of us on his discharge papers.

Mr. GRIFFIN. I think maybe we can conclude here. I am asking you to identify some interview reports that we have, and I will give you a chance to read them over. I am going to mark for identification three different exhibits.

Mr. RUBENSTEIN. O.K.

Mr. GRIFFIN. The first one is an interview report prepared by Special Agent George H. Parfet.

Mr. RUBENSTEIN. Yes; I know him.

Mr. GRIFFIN. I want to start with these chronologically. The first one is a copy of an interview report prepared by special agents of the FBI, Maurice J. White and Robert B. Lee, of an interview that they had with you on November 24, 1963, in Chicago.

I am going to mark this "Washington, D.C., deposition of Hyman Rubenstein, June 5th, 1964, Exhibit No. 3." This consists of two pages numbered at the bottom 193 and 194, respectively.

I will hand you the exhibit and ask you to read it over and then I will ask you some questions about it.

Mr. RUBENSTEIN. That is about correct. Because I didn't know anything else. (Hyman Rubenstein Exhibit No. 3 was marked for identification.)

Mr. GRIFFIN. You have had a chance to examine Exhibit No. 3.

Mr. RUBENSTEIN. Yes.

Mr. GRIFFIN. Are there any corrections you feel ought to be made in that report?

Mr. RUBENSTEIN. The only thing I am doubtful is this, "He then had Jack as a salesman for several companies believed to be the Stanley Oliver Company and the Spartan Company now defunct." That I am sure about. That is the only paragraph. The rest of it is 100 percent true. And that is the way it was as I remember it.

Mr. GRIFFIN. Are you not sure that he had jobs with both companies?

Mr. RUBENSTEIN. The Spartan Co. there was such a company and Jack and Harry Epstein was his partner at that time and they sold novelties and premiums.

By the way, Harry Epstein was a business associate of Jack's for a good many years and knows him well. If there is anything that you might want to find out about his impetuosity or his decisive manner, because Harry and Jack

always fought verbally, so Harry can give you a pretty good reason or reasons of his personality in that respect.

I don't know where you can find Harry. He could be in Chicago, he could be anywhere.

Mr. GRIFFIN. The family has lost track of him?

Mr. RUBENSTEIN. Well, look; when the partnership breaks up—normally the partner comes over to the house and you meet him and see him and you have lunch with him. But when it breaks up you lose all contact with those people because he wasn't my contact, he was Jack's contact. And Jack being in Dallas all these years we didn't even see Harry.

Mr. GRIFFIN. Was Harry, would you say Harry, was one of the people who knew him best when he lived in Chicago?

Mr. RUBENSTEIN. One of the best.

Mr. GRIFFIN. Who would you say, who else would you say, knew Jack best when Jack lived in Chicago?

Mr. RUBENSTEIN. Benny Kay.

Mr. GRIFFIN. What was his connection with Benny Kay.

Mr. RUBENSTEIN. Very dear friends.

Mr. GRIFFIN. Any business associates?

Mr. RUBENSTEIN. I don't know as any business associates but Benny Kay is a well respected businessman in Chicago.

Mr. GRIFFIN. I am not asking for important people who knew him.

Mr. RUBENSTEIN. Let's say they bummed around together quite a bit.

Mr. GRIFFIN. But if we were to go out and look for people who knew Jack better than anybody else, outside of the family, who were the people that you would name?

Mr. RUBENSTEIN. Put his name down, Benny Kay.

Mr. GRIFFIN. Who else would you name?

Mr. RUBENSTEIN. Harry Epstein.

Mr. GRIFFIN. Who else?

Mr. RUBENSTEIN. Hershey Colvin, and this Marty Gimpel that died, Marty could have given you a better report than anybody. Because Marty lived with him down in Dallas.

Mr. GRIFFIN. I am talking about Chicago.

Mr. RUBENSTEIN. Marty knew his from Chicago, Marty worked at the post office in Chicago.

Mr. GRIFFIN. How about Alex Gruber?

Mr. RUBENSTEIN. Don't know him. Never heard his name. Isn't that odd? Of all the names that are in Chicago I never heard of him.

Mr. GRIFFIN. How about Sam Gordon?

Mr. RUBENSTEIN. Sam Gordon was a business associate of Jack, but not as good as these others. Sam was in the highlight of the depression and then moved to L.A.

Mr. GRIFFIN. So your idea was Benny Kay, Hershey Colvin and Harry Epstein outside of Marty Gimpel who is now deceased?

Mr. RUBENSTEIN. Those would be three as far as I know. You see we all had our own friends, so I didn't know too many of Jack's except when he would bring them to the house or we would meet somewhere by accident, downtown, somewhere, you know, run into each other in the street.

Mr. GRIFFIN. I am going to hand you what I have marked—incidentally, if you are satisfied with that—

Mr. RUBENSTEIN. Except for what I told you here the only incident was this Stanley Oliver Corp. I don't know whether Jack sold any stuff, maybe he did. I don't know about those things.

Mr. GRIFFIN. Would you then sign on the first page, Exhibit No. 3?

Mr. RUBENSTEIN. Right here?

Mr. GRIFFIN. Sign it in some conspicuous place.

Mr. RUBENSTEIN. How about down here?

Mr. GRIFFIN. Fine. I will hand you now what I have marked for identification as "Exhibit No. 4, Washington, D.C., June 5th, 1964, deposition of Hyman Rubenstein." This is a copy of the interview report prepared by Special Agent George

Parfet in connection with an interview he had with you on November 27, 1963, in Chicago.

Take the time to read that, and tell us whether there are any corrections that you would make in that.

Mr. RUBENSTEIN. This is the part I forgot to tell you about, when Jack called and told me about the newspaper, I forgot, I couldn't exactly remember. That is exactly what he said.

Mr. GRIFFIN. What was that?

Mr. RUBENSTEIN. When he called about the newspaper with the ad with the black border about it.

Mr. GRIFFIN. He called you?

Mr. RUBENSTEIN. I believe he did.

Mr. GRIFFIN. You said before that he called Eva and that you learned about this from Eva.

Mr. RUBENSTEIN. It could have been. But according to this, according to this, "The exact time of the shooting of the President of the United States his brother Jack had been in the office of a newspaper."

It could have been that Eva told me this. You are right. That is right. Because he came over and had breakfast with Eva and he had tried to explain to her about the ad, whether she had noticed it. Eva said, "What do I notice about an ad?"

He said, "With the black border around it, and the, what was that word I used before, the twenty, what is that word where you have——"

Mr. GRIFFIN. Grievances?

Mr. RUBENSTEIN. Grievances. The grievances. It was Eva. Should I sign this?

Mr. GRIFFIN. If you would.

(Hyman Rubenstein Exhibit No. 4 was marked for identification.)

Mr. RUBENSTEIN. You are bringing back a lot of—what a deal.

Mr. GRIFFIN. If you remember anything in the course of reading that we haven't covered, why let's have it. Now is the time.

Mr. RUBENSTEIN. Well, I don't know. It is hard, gentlemen, it isn't easy. It wasn't a pleasant experience. It was a sad experience, and your mind wants to block out those things that you don't want to remember. So, it is hard to remember every incident or every detail.

Mr. GRIFFIN. If things come to your mind.

Mr. RUBENSTEIN. I know.

Mr. GRIFFIN. Because the reason we have asked you to come here is so that we can get——

Mr. RUBENSTEIN. I know. Look, we had nothing to hide. Any member of the family will cooperate 100 percent. Any of our friends and lawyers will cooperate 100 percent or we want to know why. We don't believe in shooting Presidents. Let's put it that way. We love this country, and we make our living here, we all served in the army here. We were brought up in this country, and it is our duty to cooperate with a law enforcement agency or any agency that wants to investigate a thing of this type.

It is unfortunate that our brother Jack had to be involved but many of our friends feel that he is a hero because they felt they would have done the same thing under similar circumstances.

How can a man premeditate, his dog Sheba was in the car, \$2,000 in cash, all that photographic equipment in the back trunk with the adding machine and the tire, the dog is waiting for him, and Jack happened to carry the gun because that was the night's receipts in the car and he happened to have it with him and if that girl in Fort Worth hadn't called him that morning at 10 o'clock, Jack would still have been sleeping and forgotten all about it.

So, the man must have blacked out, nothing else could convince me, and nothing else convinces any of my friends that I talked to. People who don't even know him they said that is what must have happened. He blacked out. I understand that Jack cried like a baby when the President was shot. He cried more than when his own father died. His own father was 88 years old when he passed away in the year of 1958, I believe.

Mr. GRIFFIN. Mr. Rubenstein, who did you hear about the crying from? Who told you about the crying?

Mr. RUBENSTEIN. Eva; he made her sick. He came over there crying.

Mr. GRIFFIN. Go ahead.

Mr. RUBENSTEIN. Also from the rabbi in Dallas. He went to synagogue Saturday night, and he cried, and there is witnesses to prove it in the synagogue.

Mr. GRIFFIN. Are there people in the synagogue who saw him?

Mr. RUBENSTEIN. People in the synagogue that saw him crying when they had a special, some services for the President and they saw him crying and the rabbi saw him crying. They didn't believe a guy like Jack would ever cry. I don't know the rabbi's name but—

Mr. GRIFFIN. Silverman.

Mr. RUBENSTEIN. Silverman. He will testify to that and he will bring witnesses who saw him cry. Jack never cried in his life. He is not that kind of a guy to cry. Never complained about nothing. Never talked about any heroic deeds that he ever did. He didn't go for that stuff.

Mr. GRIFFIN. He wasn't; you wouldn't characterize him as somebody who bragged?

Mr. RUBENSTEIN. Far from it. He was reticent in that respect. But to help somebody in an emergency, the first one on the street to raise money for any occasion. Any policeman or fireman got hurt or the family needed something he is out there right away selling tickets, and chances are there wasn't enough, he paid the difference himself whatever was needed.

Eva told me that, too. He didn't tell me that. I heard it from people down in Dallas.

Mr. GRIFFIN. Let me hand you what I have marked as "Washington, D.C. deposition of Hyman Rubenstein, June 5th, 1964, Exhibit No. 5." This is a copy of an interview report prepared by FBI Agent John Golden as a result of an interview that he had with you in Chicago on December 9, 1963.

Mr. RUBENSTEIN. Yes.

Mr. GRIFFIN. Do you remember that interview?

(Hyman Rubenstein Exhibit No. 5 was marked for identification.)

Mr. RUBENSTEIN. Yes; that is the truth like I told you. I don't remember the dates. I know how I met John Paul Jones.

Mr. GRIFFIN. Paul Roland Jones.

Mr. RUBENSTEIN. No, John Paul.

Mr. GRIFFIN. The fellow in the trial at Laredo, is that it?

Mr. RUBENSTEIN. Yes; how come it is John Paul Jones here?

Mr. GRIFFIN. That is apparently the name you gave. You understood the man's name to be John Paul Jones.

Mr. RUBENSTEIN. Well, you see I didn't even know his right name then.

Mr. GRIFFIN. The Jones you met you recall as being named John Paul Jones?

Mr. RUBENSTEIN. Yes; that is the name he gave me.

Mr. GRIFFIN. Are there any corrections or additions you would make to that statement?

Mr. RUBENSTEIN. No; this is the truth. Jack did not know Jones—Jack wasn't down there at the time when I went down there. Eva was alone down there.

Mr. GRIFFIN. When you say go down there do you mean—

Mr. RUBENSTEIN. Dallas. When I had to go down to Laredo I stopped off in Dallas to see Eva.

Mr. GRIFFIN. But the time you are referring to going to Texas is when you went to the trial or was it another time?

Mr. RUBENSTEIN. No; regarding this, Laredo.

Mr. GRIFFIN. Yes; and you say when you went to the trial in Laredo it is your understanding Jack was not living in Dallas?

Mr. RUBENSTEIN. Definitely. Do you want me to sign this?

Mr. GRIFFIN. If you would, please. Very good. I say that because I appreciate your coming here and talking with us and taking this time, and I will ask you once again if there is anything else—

Mr. RUBENSTEIN. These two things I will get for you.

Mr. GRIFFIN. If you would we would appreciate that.

Mr. RUBENSTEIN. That is all right. It is the least I can do.

Mr. GRIFFIN. If there is anything else?

Mr. RUBENSTEIN. Anything also you might want to know drop me a note and I will be glad to answer it.

Mr. GRIFFIN. We appreciate your cooperation.

Mr. RUBENSTEIN. We would like to get a new trial for Jack. Some of my friends say Jack should have gotten the Congressional Medal of Honor. They feel the same way I do about it. People say to me, why didn't he wait for the investigation? How stupid can people be? Then it is premeditated. You don't do things like that. Why wait for an investigation? Sure, it would have been a wonderful thing to have done but you can't, you don't know what is in the other man's mind. I blame everything on the stupid Dallas police from every angle, even from that angle up there. They knew Oswald was in town, why didn't they grab him. That is my opinion. They blame everything on Jack, the scapegoat, the poor guy has got to take it for the whole police department down there. You know that is the truth and I mean it.

Mr. GRIFFIN. Well, we certainly appreciate your frankness in this matter and your willingness to express your opinion.

Mr. RUBENSTEIN. You can call me anytime, if you want me to come back again I will be glad to come back, anytime. If I am out of town I will have to wait to pick up my letter.

Mr. GRIFFIN. I hope we won't have to trouble you again and thank you very much for coming.

TESTIMONY OF WILLIAM S. BIGGIO

The testimony of William S. Biggio was taken at 5 p.m., on April 2, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Albert E. Jenner, Jr., assistant counsel of the President's Commission. Robert T. Davis, assistant attorney general of Texas, was present.

Mr. JENNER. Would you stand, please, and take the oath?

Do you solemnly swear in your testimony before this Commission that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. BIGGIO. I will.

Mr. JENNER. Would you state your full name, and spell it, please?

Mr. BIGGIO. William S. Biggio, [spelling] B-i-g-g-i-o.

Mr. JENNER. And you are a member of the Dallas City Police Force?

Mr. BIGGIO. That's right.

Mr. JENNER. Are you in any particular division, do you have a particular assignment?

Mr. BIGGIO. I am with the special service bureau, criminal intelligence section.

Mr. JENNER. Now, I am Albert E. Jenner, Jr., one of the members of the legal staff of the Warren Commission, with which you are familiar, and this item has come to my attention recently through Mr. Davis of the attorney general's office of the Texas staff and while I appreciate the fact that at the moment it is third hand or hearsay, as we lawyers call it, I would just like to have your report on it—which we will seek to run down—as I understand Mr. Davis and the FBI are undertaking the investigation; is that right?

Mr. DAVIS. Yes, sir.

Mr. BIGGIO. I have since talked to them also.

Mr. DAVIS. Since we talked?

Mr. BIGGIO. Yes, sir.

Mr. JENNER. You appreciate the existence of the President's Commission and what the President's Commission is engaged in, in the investigating of the assassination of President Kennedy and many members of your force have been very helpful to us and have been appearing these last 2 weeks by considerable number. Tell us about this whole incident from the beginning—when it first came to your attention, who brought it to your attention and what developed thereafter?

Mr. BIGGIO. There was a friend of mine—she is a woman who I know through my wife. She formerly was employed at the same location that my wife is, and she called me at work following Ruby's killing of Oswald. She said that a friend of hers had been into a restaurant in the downtown area and a mechanic had come in and had made mention of the fact that Oswald drove Ruby's car for approximately a 2-week period that he knew of, that Oswald had brought the car there for repairs to his garage.

The friend did not know where the garage was, did not know the mechanic's name. The woman who called me didn't want to give her friend's name and get his name involved if she could possibly help it.

Mr. JENNER. Who was it that called you?

Mr. BIGGIO. Is it necessary for me to give that name? I believe with the information that was given me, it will not be necessary.

Mr. JENNER. Has the information been furnished the FBI?

Mr. BIGGIO. No; it has not. I believe with the information we get to further on it will show that her name isn't needed.

Mr. JENNER. All right.

Mr. BIGGIO. I don't object to giving her name except that she asked me not to give it.

Mr. JENNER. All right; she didn't want any publicity, is that it?

Mr. BIGGIO. No; she doesn't want any publicity on it. I don't know why people are so scared of things like this, but if they get into court or before a panel or anything like that—at any rate, her friend doesn't want his name used either, but I talked to my lieutenant about it, Lieutenant Revill, and he suggested that we go ahead and write it up on the grounds that by searching through the material in Ruby's apartment and also through the material that had been taken from his automobile, we could possibly find a garage where a mechanic had done some work on his car. We would be able to contact the mechanic in that way without involving the two people who had called the information in.

When we did get photostatic copies of the material that had been taken out of Ruby's car and his apartment, we found no evidence of any garage work that had been done or any actual mechanical work that had been done on his car recently. So, I called my friend back and asked her again if she could contact the man who had given her the information and see if he would be willing to talk to us about it. She called him back and then she called me and she said she had made an error in saying it was in the downtown area, that the place was out on Lovers Lane, directly across from—I have the address in here—

Mr. JENNER. Is it 5060 W. Lovers Lane?

Mr. BIGGIO. Well; she didn't have the address itself—it was directly across from the Jungle Hut which is in the 5000 block of Lovers Lane.

Mr. JENNER. Lovers Lane is a street name?

Mr. BIGGIO. Yes; Lovers Lane is a street. We sent an officer out there, Detective Hellinghausen, F. A.

Mr. JENNER. Francis A. Hellinghausen [spelling] H-e-l-l-i-n-g-h-o-u-s-e-n?

Mr. BIGGIO. That is correct; yes, sir.

Mr. JENNER. Of the Dallas City Police?

Mr. BIGGIO. Yes, sir. He went to that particular area—there are two cafes across the street there in the 5000 block from the particular location that the lady friend of mine said. One of them was the Cafe Coffee Shop, was the name of it—the Cafe Coffee Shop. It was closed up at that time. Now, this took place approximately 3 weeks after the shooting. It was closed—ordinarily through our bureau we can find out who the owner was of such a place, because we keep the records of everyone through the beer licenses which we have to keep in our particular bureau, but this particular place did not have a beer license. It did not deal in beer.

It had been closed—we couldn't find out who the owner was, so I sent Officer Hellinghausen and requested him to go by and talk to the woman who had originally given me that information and see if she would be willing to give him the same thing—the man's name. Officer Hellinghausen went by and talked to her and she gave him the man's name and at that particular time the man

was attending a real estate convention which was here and being held here in Dallas and the word was sent to him from the company that he works for, the Bill Hardy Real Estate Co.—word was sent to the man, his name was Cheshier [spelling] C-h-e-s-h-e-r—Bill was his first name. I believe it is correct—William R. He lives on Lupton Street.

Mr. JENNER. Is he still alive?

Mr. BIGGIO. No, sir. I tried to contact Hellinghausen today. Mr. Davis had gone up to talk to Captain Gannaway in regard to that report. I had understood that Hellinghausen had written a report from what he had learned from Mr. Cheshier and I tried to contact him and could not, after Captain Gannaway had called me, so I went out to the Bill Hardy Real Estate Co. where Cheshier works, and I talked to the manager of that company who is Wey, Jr. The location of the real estate company is 6340 E. Mockingbird Lane. Mr. Wey informed us that Bill Cheshier died night before last of a heart attack in the hospital here. We then asked him if he had talked to Cheshier any about hearing this mechanic talking in the cafe and he said, "No, he had heard some talk of it, though and he knew one man who had talked to him" and he called in another employee of the company, Mr. John P. [spelling] S-c-h-n-i-t-z-i-u-s, who is also an employee of the Bill Hardy Real Estate Co. and he told us that Cheshier told him the same thing, that the mechanic had come in and sat by him and it was—that it took place at approximately 10 o'clock at night. He was leaving town—he was going out of town. He stopped there to get coffee and a sandwich and the man came in while he was there and he had given no description of the mechanic other than that he was short and was dressed in work clothes and that the clothes were greasy and that's the information that he had, and I believe the man was telling the truth when he said he was a mechanic and that's as far as we have been able to go.

Mr. JENNER. What is it that the mechanic is alleged to have said?

Mr. BIGGIO. He said that Oswald had been driving Ruby's car for approximately 2 weeks and that he had brought the car into his garage for repairs, but he did not mention the name of the garage or the type of repairs, the type of automobile or anything else.

Now, we, of course—just as soon as that came through, there were checks made on the repairs on Ruby's automobile. His automobile was parked regularly, just a short distance up from the Carousel Club at the old Adolphus Hotel parking garage and also mechanical work had been done at that location, and the only other place we can find out where it had been to any type of garage at all was from receipts in his car and they were apparently for gas and oil and such things as that—no mechanical work whatsoever, so we didn't put much stock in the report, since it was third hand to start off with.

Also, we made an error ourselves—Hellinghausen thought when we brought that information back about Cheshier that I would write up the report and I thought he was preparing the report, since he was the one who actually contacted the man and no report was made, but I'm sure the report went to the FBI, but there is no name in the original report connecting anybody with it and there was nothing in that that we could check on except the way we thought was through the mechanical repair bills and they would possibly be in the car.

Mr. JENNER. You have told me all the incidents from the beginning to the present time?

Mr. BIGGIO. Yes, sir.

Mr. JENNER. And what you and your fellow officers have done with respect to running this down?

Mr. BIGGIO. Yes, sir. I might add that the gentlemen out at Bill Hardy's Real Estate Co. were very cooperative and they said they would be willing to talk to any one of you. This lady who called me was very worried about being called herself or about Mr. Cheshier possibly being called and him not liking it.

Mr. JENNER. Now, the lady who reported it to you, she was not present—it had been a report to her?

Mr. BIGGIO. She was not present. That's the reason I say it was third-hand information. It was written up in the report that way, although I considered her reliable. The information was third-hand and there is no way of actually

telling. We have to evaluate all the information that comes through and that generally is the reason we make followup investigation prior to turning in a report. In this particular case we were to turn in our information right on through and let the FBI do it; but as you can see, the FBI would have nothing to go on.

Mr. JENNER. Well, they have got what you reported and we'll see what they turn up.

Mr. BIGGIO. Well, after Mr. Davis, I believe you called the FBI this evening, after you called them, they called me then and I gave them the exact date of the report and what other information we found out and they are going to run it on that.

Mr. JENNER. But you have given me now all the information you gave them?

Mr. BIGGIO. Yes, sir; and from my own viewpoint—this is just my personal viewpoint—I don't think there's much to it. I think it's just some man in a place talking. I think Mr. Chesher was telling the truth, but I don't think the man who said he was a mechanic was. There is no way we have been able to verify that.

Mr. JENNER. Well, Officer Biggio, we very much appreciate your coming in and part of our work is running down these rumors.

Mr. BIGGIO. I know—I don't like to turn in a report like that to start off with.

Mr. JENNER. I appreciate it very much and thanks for coming.

Mr. BIGGIO. Does that take care of me not giving out the lady's name again?

Mr. JENNER. Yes; that's perfectly all right. We don't want to probe into that. You have a right to read your deposition here and sign it if you want or you can waive that.

Mr. BIGGIO. I know exactly what I've said and I'm sure she has taken down the right thing. I have said nothing except the events that happened. I'm afraid there is nothing that will be of any help anyway.

Mr. JENNER. Thank you very much.

TESTIMONY OF CAPT. GLEN D. KING

The testimony of Capt. Glen D. King was taken at 11:20 a.m., on May 28, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Leon D. Hubert, Jr., assistant counsel of the President's Commission.

Mr. HUBERT. This is the deposition of Capt. Glen D. King.

Captain King, my name is Leon D. Hubert. I am a member of the advisory staff of the General Counsel of the President's Commission. Under the provisions of Executive Order 11130, dated November 29, 1963, and the joint resolution of Congress No. 137, and the rules of procedure adopted by the President's Commission in conformance with the Executive order and the joint resolution, I have been authorized to take a sworn deposition from you. I state to you now that the general nature of the Commission's inquiry is to ascertain, evaluate, and report upon the facts relevant to the assassination of President Kennedy and the subsequent violent death of Lee Harvey Oswald. In particular, as to you, Mr. King, the nature of the inquiry today is to determine what facts you know about the death of Oswald and the surrounding circumstances, and any other pertinent facts you may know about the general inquiry.

Now, Captain King, I believe that you appear here today by virtue of a general request made to you by Mr. J. Lee Rankin, general counsel of the staff of the President's Commission, addressed to your chief, Mr. Curry, asking that you appear before it. Under the rules adopted by the Commission, you are entitled to a 3-day written notice prior to the taking of this deposition, but such rules also provide that a witness may waive this 3-day notice if he so wishes. Now, I will ask you to state whether or not you are willing to waive the 3-day notice.

Captain KING. Yes, sir.

Mr. HUBERT. Will you stand and raise your right hand? Do you solemnly swear that the testimony you are about to give in this matter will be the truth, the whole truth, and nothing but the truth, so help you God?

Captain KING. I do.

Mr. HUBERT. Will you please state your name?

Captain KING. Glen D. King.

Mr. HUBERT. And your age?

Captain KING. I am 39.

Mr. HUBERT. Your address?

Captain KING. I live at 519 Goldwood, Dallas 32, Tex.

Mr. HUBERT. What is your occupation, sir?

Captain KING. Police officer with the city of Dallas.

Mr. HUBERT. And how long have you been so employed?

Captain KING. I was first employed on August 2, 1948.

Mr. HUBERT. And have you been with the police department continuously since then?

Captain KING. No; I have not. I left the department in, I think it was 1950, and was gone approximately 11 months, and returned in 1951; and I have been with the department continuously since that date.

Mr. HUBERT. Was that a resignation from the department?

Captain KING. It was a resignation from the department and I entered into private business.

Mr. HUBERT. It was voluntary?

Captain KING. Yes.

Mr. HUBERT. And did you start at the bottom, as it were?

Captain KING. Yes; as a patrolman.

Mr. HUBERT. I notice that in the report of the proceedings at which you made a speech, I think, in Washington, there was a description of you and your career given and I am going to read it into the record here and ask you if it is correct.

You were introduced as follows: That you are an administrative assistant to Chief Curry and that you are a former newspaper man, that you were a police reporter on the Dallas Morning News when you joined the police department in 1948; that you have served in every division of the department until you have risen to the position you now hold; that you had studied journalism in college at the University of Texas and SMU; that you have attended a number of police institutes and lectured at some of them; that you have written in the field of political science and that you are the author of two books and numerous magazine articles; is that all correct, sir?

Captain KING. Sir, this is correct.

Mr. HUBERT. What was your specific assignment on November 22 and for some months or weeks or whatever it was prior to that date, the year being 1963?

Captain KING. As the administrative assistant to the chief, one of my primary responsibilities is press relations and public relations also. On the date of November 22 I was asked to remain in the administrative offices while other members of the administrative staff were going to be absent on their assignments, and I was asked to stay in the administrative offices.

Mr. HUBERT. I would like for you to describe for the record just under normal circumstances just what the functions and duties and responsibilities of your position are.

Captain KING. There are, of course, a lot of rather dissimilar or separated functions of the office.

Mr. HUBERT. I am particularly interested in the ones dealing with press relations and public relations.

Captain KING. As I say, the office—our office is the unit of the department that is charged with the efforts of the department for public relations and it is the office to which the local newsmen know they can come to receive any assistance that they need in their work. It is one in which they can register complaints against the department and procedures of the department and the treatment that they receive, or it is one to which they can come to secure information on things they are investigating.

Mr. HUBERT. In other words, there is a setup—a central spot—where every newsman can get the information and information will be gotten for him?

Captain KING. This is true.

Mr. HUBERT. That's your office and you are the head of that?

Captain KING. That's true; yes.

Mr. HUBERT. Prior to November 22, were any standard operating procedures set up for relationships with the press?

Captain KING. Yes; we had a general order in the department which in very brief and very general terms set forth a policy of the department so far as their relations with the press was concerned. We had published prior to that time a memorandum from the chief setting forth what the policy of the department would be. Briefly stated, it was the policy that we would render any possible assistance to the press except that assistance which would seriously interfere with any investigation that we had underway. This policy made it the responsibility of each officer of the department to do this.

My office is the press relations office, but my office is not the only place in the department where a newsman could get information. It was the responsibility of each member of the department to furnish to the press information on incidents in which they, themselves, were involved, except on matters which involved departmental personnel policies of the department, or, as I said, unless it would obviously interfere with an investigation underway.

Mr. HUBERT. In the latter case, if it would interfere with an investigation underway, what was the policy then?

Captain KING. If it would interfere, then it was the policy that the information would be withheld.

Mr. HUBERT. And the press then would simply not be told or be sent away, as it were?

Captain KING. It would be withheld from the press; yes.

Mr. HUBERT. And you say that that was the general policy, not merely with respect to your relations with the press, but with every police officer's relations with the press?

Captain KING. That's correct; yes.

Mr. HUBERT. Was it your duty to enforce that policy in the event you saw it was being disrupted; that is to say, in the event you observed that press relationship was interfering with an investigation?

Captain KING. It would be—probably; yes, sir.

Mr. HUBERT. Now, did you have any general system of registration of the press—I'm not speaking now of November 22—but of normal conditions whereby identification cards and so forth would be issued?

Captain KING. Yes, sir; we have.

Mr. HUBERT. What was that?

Captain KING. We have an identification card that we have prepared, the department prepared, and newsmen who are employees of regular news gathering agencies in town, upon identification as such or request of their employer actually, are furnished with the press identification.

Mr. HUBERT. I suppose that would be given mostly to local press people, would it not?

Captain KING. Yes, sir.

Mr. HUBERT. Now, on the occasion of the President's visit, is it fair to state that more outside newsmen sought this accreditation or identification card?

Captain KING. Some did seek it—yes. Very little of it actually was done. We received a call from—at least these are the only ones that I can recall. Mr. Hubert, that we gave the identification to—out-of-State or newsmen who did not normally work here—we received a call from channel 4, KRLD-TV and they said they had some people in here from out of the city, of which I recall there were eight of these. They were identified to us by Eddie Barker who is the news director of KRLD, and they were furnished press cards. These are the only ones I recall.

Mr. HUBERT. That was prior to the assassination?

Captain KING. No, this was subsequent to the assassination. These are the only ones that I can recall that were given for newsmen who came into town to cover this.

Mr. HUBERT. Is it your thought now that the newsmen who were not local, who were not known to you and who did not have individual identification cards

should have not been admitted or spoken to unless they had obtained clearance?

Captain KING. I don't think it would have been possible from a practical point of view—I don't think it could have been done.

Mr. HUBERT. Would you tell us why?

Captain KING. "Why" has to include the atmosphere that existed over there, the tremendous pressures that existed, the fact that telephones were ringing constantly, that there were droves of people in there; it would also have to include the fact that the method by which you positively identify someone—it doesn't mean—it's not easy. If someone comes into us with a letter from the New York Times on their letterhead stating that this man is an employee of the New York Times, "Will you please furnish him with identification?", we haven't any way of knowing that actually this letter did come from the New York Times and that it was not on a forged or stolen letterhead.

Mr. HUBERT. Normally you would not issue a card to such an individual without a checkout, as it were?

Captain KING. That's true.

Mr. HUBERT. And your thought was that checkouts were just simply impossible?

Captain KING. They were.

Mr. HUBERT. Was any attempt made to set up a system whereby only positively identified news people would be admitted to the areas near Oswald?

Captain KING. I'm not sure I understand your question, sir.

Mr. HUBERT. After the death of the President, when you say that this atmosphere and this condition developed with the press where there were mobs of people and so forth, was there any effort made by anyone to clear out the place, as it were, and then readmit only those who were known to be accredited or definitely identified?

Captain KING. There were officers assigned to the area there—primarily the third floor where the homicide office is located and where most of the newsmen were, and they did screen the newsmen and other people who came in there. I was not the person who assigned them out there and I don't actually know what instructions they were given and I don't know actually the procedures by which they screened them. I was inside of my office most of the time with telephones ringing.

Mr. HUBERT. Would it normally have been your duty to screen them or to see that they had identification?

Captain KING. No, actually it wouldn't—I think normally it would be the duty of the officer who was working the incident to check the identification.

Mr. HUBERT. Do you know if anyone suggested that something should be done to correct the conditions which you have described?

Captain KING. I understand that Chief Batchelor on his arrival at the station ordered some more men assigned up there and tightened up to a certain extent the security that was up there, but I was not present when this was done.

Mr. HUBERT. Do you know if anyone suggested that the whole place be cleared out completely and then readmit only those definitely accredited individuals?

Captain KING. I don't know of anything like that.

Mr. HUBERT. Do you know of anyone who suggested that at all?

Captain KING. I don't recall anyone having suggested that—no, sir.

Mr. HUBERT. I gather from what you are telling me that the presence of the press and under the conditions that they were present would be considered by you at least as a serious disruption of the normal methods of interrogation of a prisoner?

Captain KING. I would say that nothing really that was going on there at that time was normal.

Mr. HUBERT. Is it your opinion that the presence of the press as they were, particularly on the third floor, when Captain Fritz was interrogating Oswald did interfere with the investigation?

Captain KING. I think it must have—yes, sir.

Mr. HUBERT. Can you give us any examples of how it did?

Captain KING. Well, the hallways were full—actually with men and officers. I was out on occasion in the hallway and officers tried to keep an aisle or pathway cleared in the hall so people who had business in the other bureaus on that end of the floor and people who were working out of the homicide and

robbery bureau could get in and out, and this was a constant battle because of the number of newsmen who were there. They would move back into the aisleway that had been cleared. They interfered with the movement of people who had to be there.

The door from the elevator, the jail elevator—the ones used for the transportation of prisoners—is south of the doorway of the homicide and robbery bureau where the interrogations were conducted, and whenever Oswald was brought down from the jail or taken back from homicide and robbery to the jail, he had to pass through this area. There was noise out there—a considerable amount of noise out there, and I think this must have been a disquieting thing.

Mr. HUBERT. And you mentioned that your general policy about the cooperation of the press had an exception, and that is, when it would interfere with an investigation, and you have, I think, demonstrated now that in your opinion there was interference with the investigation?

Captain KING. Yes.

Mr. HUBERT. Do you know of any effort made by anyone to invoke the exception to the general rule?

Captain KING. I think no effort was made. I think that the decision was made without ever having been stated, actually, that this was certainly not a normal circumstance; that the newsmen should be allowed to remain in there.

The news cameramen first arrived—I don't recall the time it was—it was a short time after the death of the President or the shooting, and Chief Lunday, as I recall, is our traffic division chief. He was the only chief officer in the department who had returned. We checked—they wanted to bring their cameras up to the third floor, and we checked with Chief Lunday to see if it was permissible, and I was told it would be.

Mr. HUBERT. You did that yourself?

Captain KING. Yes. I am thinking it was Chief Lunday—it was either Chief Lunday or Chief Lumpkin, and did receive permission for them to bring their cables through the windows. Of course, the number of newsmen in the beginning was less than it later became, and more and more came in.

Mr. HUBERT. At the time you checked the matter with Chief Lunday or perhaps it was Lumpkin, your thought was that at that time the presence of the press would not constitute interference?

Captain KING. We didn't—I didn't have any idea at that time that we would have the number that we had.

Mr. HUBERT. Well, did it occur to you at any later time that the number had increased to the point that something ought to be done about it?

Captain KING. The obvious answer is "yes", but it didn't actually. The newsmen out there, I guess you become accustomed to them out there, or accustomed to the idea of them being out there, once you have decided that they are going to be permitted to be there, and it was the obvious policy of the department at that time that they would be permitted to be there and so far as my ever mentioning to anyone else or recommending to anyone else or suggesting to anyone else that they should be removed—I did not.

Mr. HUBERT. Did you hear anyone else suggest that the situation was getting out of hand, if it was, in fact, sir?

Captain KING. I don't recall having done so.

Mr. HUBERT. Now, of course, a large part of that was due, I take it, to the fact that Oswald was being interrogated on the third floor in Captain Fritz' office, which is the normal place where a person charged with murder would be interrogated?

Captain KING. Yes.

Mr. HUBERT. But, do you know if anyone thought of removing Oswald to another place and thus avoid the press in the room?

Captain KING. That, I do not know, sir.

Mr. HUBERT. You had not heard that discussed?

Captain KING. I don't recall having heard it discussed.

Mr. HUBERT. Did it occur to you that that might be one way to get around this situation which you found?

Captain KING. No; actually it did not.

Mr. HUBERT. Were there other places available so it could actually have been done?

Captain KING. I am sure that some place could have been found—I don't know whether a place could have been found that would have solved more problems than it raised or not—I don't know.

Mr. HUBERT. Then, in what way?

Captain KING. Well, because this is the normal—this is the place where these homicide officers are assigned. This is the place where their equipment is, this is the place where they normally work and this is something that had not even occurred to me—moving him to some other location and moving the interrogation or the investigation of him to some other place—this is something again in which I was not involved in and in which I was not in.

Mr. HUBERT. Well, I have read the transcript of the speech that you made before the American Society of Newspaper Editors in Washington, which I will introduce into this deposition in a little while.

Captain KING. Yes.

Mr. HUBERT. And I gather from it that to a considerable extent the police department was influenced to tolerate this condition to a large extent by the fact that this was an extraordinary case and that any effort to run the press away might be misconstrued in some manner.

Captain KING. I think that it very definitely might have. I think probably that these are things that were put into words after the conditions returned more to normal over there. They were not things that were actually said. We didn't sit down, frankly, we didn't really have much time to sit down to do anything, but we didn't just sit down and say, "We are going to let the press remain here for this reason, for this reason, or for this reason," even if they might have been the reasons that we did in fact.

Mr. HUBERT. There were no staff meetings or anything of that sort to consider and determine that problem—the problems?

Captain KING. No; there were meetings of the administrators of the departments, certainly, but these were informal meetings.

Mr. HUBERT. Well, was this problem discussed at any of those meetings, and by "this problem," I mean the problem of the press conditions?

Captain KING. To my knowledge—that I remember—no; it probably was—it would almost have had to have been mentioned over there about the fact that there were these large number of newsmen there, but any discussion of their removal or any consideration really, of their removal, I don't recall.

Mr. HUBERT. I notice that you mentioned in your speech also that the press were murmuring, I think, or voicing in some ways some possibly discrediting remarks as to the Dallas Police Department, and that that factor influenced somewhat the conditions.

Captain KING. It was my understanding that one of the newsmen—I heard this, but I don't know who he was—and I, of my own knowledge, don't know that this actually occurred, but that one of them had obtained a picture of Oswald, that he had a picture of Oswald, and he held it up before the cameras and said, "This is what the man who assassinated or who shot President Kennedy looks like or at least this is what he did look like." He says, "He has been in the custody of the police department for an hour and I don't know what he looks like now."

Mr. HUBERT. That was heard by you and others—

Captain KING. This was not heard by me. I said I was told this—I did not hear it—I was not a witness to it.

Mr. HUBERT. But you were told that this occurred shortly after, in fact, it had occurred or was supposed to have occurred?

Captain KING. Yes.

Mr. HUBERT. That is to say, you heard it on the 22d of November?

Captain KING. I don't remember whether it was on the 22d or the 23d—I don't remember when I heard it.

Mr. HUBERT. But it was before Oswald was shot?

Captain KING. I believe that's correct—yes.

Mr. HUBERT. Do you remember that on the night of the 22d when Oswald was brought to the assembly room at which he was displayed, as it were, to the press?

Captain KING. Yes.

Mr. HUBERT. Were you present at that time?

Captain KING. Yes, sir.

Mr. HUBERT. Can you tell us how that occasion came about, what brought about this showing of Oswald to the press in the assembly room?

Captain KING. Actually, I was not a part of the discussions to bring him down there, nor a part of the decision to bring him down there and I don't know. I was told—I was directed to go to the assembly room and I don't remember exactly what time it was—it was a short time before he was brought down there.

Mr. HUBERT. Who directed you?

Captain KING. Chief Curry, I believe.

Mr. HUBERT. Did he say what the purpose was?

Captain KING. He said that Oswald was going to be brought down to the assembly room and the newsmen were going to be down there and he wanted a policeman down there to maintain order.

Mr. HUBERT. Did he consult with you as to whether or not this was the proper thing to do?

Captain KING. No, sir.

Mr. HUBERT. Would it have been normal for him to consult with you in your position as public relations officer?

Captain KING. Probably not—no.

Mr. HUBERT. You did not offer any objection to this proposal?

Captain KING. I did not.

Mr. HUBERT. Do you know if anyone else did?

Captain KING. No, sir; I don't—I don't know.

Mr. HUBERT. Do you know if there had been any release made by anyone in the police department to the press that Oswald had not confessed?

Captain KING. No, I don't. I don't know whether there was or not—that he had not confessed?

Mr. HUBERT. Yes.

Captain KING. I think it probably was—I think it was mentioned that there had not been a statement—I think it was mentioned too, that he denied knowledge of the murder, so I'm sure the statement along this line was made to the press.

Mr. HUBERT. Perhaps by inference and implication you have already answered the following question but I want to ask it now—is it your thought that in this particular case more information was given to the press and more latitude was given than would normally be given in a murder case which did not involve the President of the United States?

Captain KING. Probably—probably more, certainly there were more people there that were more involved in it than there would have been, I think, under any other circumstances.

Mr. HUBERT. I would think, then, that this would be considered to be a wholly abnormal situation, that is to say, physical conditions and the mass of people—the importance of the case and so forth?

Captain KING. Yes.

Mr. HUBERT. What was the relationship between the police department and the district attorney's office in handling the press, was there any coordination of effort?

Captain KING. Mr. Wade was at the police department most of the time, or quite a lot of the time. I think Mr. Alexander was there some. There was discussion made of what would be released to the press whether there was any discussion with him on the actual physical handling of the press and permission for them to be there or not, I don't recall.

Mr. HUBERT. Who discussed with Mr. Wade or any other member of the district attorney's office, what would be released to the press?

Captain KING. I did on one occasion, or at least I was present on one occasion when a discussion was had with Mr. Wade, and this was the only occasion that I can recall.

Mr. HUBERT. Can you tell us about it, please, sir?

Captain KING. I think it was—I'm not sure which night it was, whether it was on Saturday night or on Sunday night—I don't remember whether it was before

or after Oswald was killed—Chief Curry was not there, but he had said to the press in my presence, and said to me that there were elements of evidence that he was not going to comment on, and he told me that the Federal Bureau of Investigation had requested that we not comment on some of the evidence and that it was not his intention to do so.

In Chief Curry's absence there was a meeting in the chief's office at which I was present, Captain Fritz was there and Chief Stevenson was there and I think Chief Lumpkin was there and Chief Batchelor was there, and there was a discussion with Mr. Wade on the release of certain information, and I don't exactly remember what the evidence was, but there was some evidence that Mr. Wade wanted to release to the press.

Mr. HUBERT. Was it in relation to the prosecution of Oswald or the prosecution of Ruby?

Captain KING. I don't know whether—I don't recall whether it was in relation to the prosecution of anyone or not, or whether it was just evidence—general evidence in the case. I don't remember what the item of the evidence was.

Mr. HUBERT. I asked that question in order to assist in fixing the date.

Captain KING. The date—yes; I know, but I do recall that we opposed the release of the evidence or a statement on the evidence and that Mr. Wade then sometime thereafter appeared before the newsmen and made some comment regarding the evidence.

Mr. HUBERT. Then, it was at night, you say?

Captain KING. It was at night—yes.

Mr. HUBERT. It could have been either the night of the 23d or the night of the 24th?

Captain KING. It could have been and I don't recall.

Mr. HUBERT. Could it have been the night of the 22d, too?

Captain KING. I don't think it was, because I think Chief Curry was at the police station until late on the night of the 22d. I'm thinking it was the night of the 24th, which was Sunday night, wasn't it?

Mr. HUBERT. Yes.

Captain KING. I'm thinking it was that night, because I know he was not there and I think he was there until the small hours of the morning on actually both Friday and Saturday, and I think that this was Sunday night, but I can't say definitely that it was.

Mr. HUBERT. But in any case it was the police department's opinion that the evidence should not be released?

Captain KING. It was the opinion of those members who were there that it should not be released—yes.

Mr. HUBERT. And that prevailed?

Captain KING. So far as we were concerned in our release of it—so far as that was concerned—yes, sir; but the district attorney did make some comment to the press regarding it.

Mr. HUBERT. And that was over your objection?

Captain KING. Well, actually, I don't know.

Mr. HUBERT. Let me put it this way: You had decided not to do it?

Captain KING. That's correct—we did not do it.

Mr. HUBERT. And you expressed your view to him that it should not be done?

Captain KING. We expressed to him the statement of the chief that the department was not going to do it. I think the chief had indicated to the FBI we would not, or at least, this was what he told us at any rate.

Mr. HUBERT. Do you know if any studies have been made or policies changed since this incident in the police department with reference to relations with the press?

Captain KING. There has not been any change in our written policy, only I know the chief has said—I heard him say on more than one occasion that if we were faced with the same circumstances again, he would certainly restrict the presence of the newsmen there and we would act differently from the manner in which we did this time, but so far as any change having been made in the written policy of the department, I don't know anything about it.

Mr. HUBERT. Of course, it is always easier in retrospect to know what is the best thing to do, but part of a study after all is to see what is the best thing to do.

Captain KING. Oh, yes; I think you could probably get an excellent argument with a lot of points on both sides right now on a discussion of what the proper treatment of the newsmen would be.

Mr. HUBERT. Given this same situation?

Captain KING. Given this same situation—yes; with the benefit of hindsight and with the benefit of the experience you had—I think you could raise many points—good points on both sides.

Mr. HUBERT. Now, I have handed you previously two statements of interviews with you by the FBI. I am marking a statement which is dated January 25, 1964, by putting in the right margin the following: "May 28, 1964, Dallas, Tex., Exhibit No. 1, deposition of Capt. Glen D. King, Leon D. Hubert, Jr., and then my signature, and I ask you if you have read that report of the interview of you by FBI Agents Clements and Sayres, and if you consider that to be a correct and proper report of the interview?

Captain KING. Yes; sir.

Mr. HUBERT. I have also marked for identification an earlier interview of you by FBI Agent Leo Robertson on December 9 and December 10, 1963, and for the purpose of identification, I have marked that document as follows: "May 28, 1964, Dallas, Tex., Exhibit No. 2, deposition of Capt. Glen D. King," and I have signed my name, and since it consists of 2 pages, I have put my initials in the lower right-hand corner. I think you have read that document, and I ask you if it is a correct and fair statement of your interview with FBI Agent Robertson?

Captain KING. I think there is nothing in that that is incorrect. I believe I told Agent Robertson at that time that I had in my memory seen Jack Ruby one time prior. I had known him since 1955 or 1956, I believe, and I think my statement to him was that I had first met him at that time when I was in the vice squad, and I had seen him one time since then and I had heard the name.

Mr. HUBERT. You did not see him at any time in the Dallas Police Department building from November 22 until the shooting?

Captain KING. Not until the shooting—no, sir.

Mr. HUBERT. Then, there is a third document which is a letter dated December 2, 1963, addressed to Chief Curry and apparently the original was signed by you, and I have marked it for identification as follows: to wit: "Dallas, Tex., May 28, 1964, Exhibit No. 3, deposition of Capt. Glen D. King," and I have signed my name under that, all of which appears in the right hand margin of the first page, and since that document contains 2 pages, I have put my initials at the bottom on the right hand corner of the first page, and I ask you if that is a correct statement of the facts as you saw them and as you reported them?

Captain KING. Yes; sir.

Mr. HUBERT. With reference to the letter addressed to Chief Curry, dated December 2, which I have just marked for identification as Exhibit No. 3, with reference to the second paragraph, I invite your attention to this paragraph and ask you if you know why the press had congregated in the basement?

Captain KING. Yes; sir. On the evening of November 23, I don't recall the time, but on the evening of November 23, Chief Curry had appeared before the newsmen and had told the newsmen—they had asked him something about—I think—if they might be able to leave and get something to eat or get some rest and not miss anything that was there, and Chief Curry had told them that the transfer would not be made prior to 10 o'clock the next morning—that was Sunday morning.

Mr. HUBERT. But was any announcement made as to what route would be used to take him out of the building?

Captain KING. Not to my knowledge—no.

Mr. HUBERT. In fact, there were several other routes by which he could be taken?

Captain KING. Yes, sir.

Mr. HUBERT. Have you heard whether anyone told them that the route would be via the basement?

Captain KING. I don't know whether anyone—I don't recall whether anyone did or not.

Mr. HUBERT. Do you know why they all assembled there instead of in some other spot?

Captain KING. No—in my thinking on it; and I don't even know why I thought it was going to be from the basement, but this was the only thing that had occurred to me. There might have been something that I heard and don't recall, but my impression was that it was going to be from the basement and out, and maybe because this is our normal method of transfer, our normal way we transfer. We bring them down into the jail office and out through the jail office and this might be why I was thinking this about it, but this was the way I thought about it.

Mr. HUBERT. In this second paragraph of Exhibit No. 3 you say you went to the basement because of the number of newsmen who were assembled there. Do you mean by that that that was a matter of some concern to you?

Captain KING. Actually no—not a matter particularly of concern—there was not anything happening there that I thought was unusual or anything that I was particularly concerned about. There were more newsmen going down in there than there were up on the third floor and I went down there actually to be available more than anything else.

Mr. HUBERT. In other words, the way that the letter reads—the way that sentence reads—the fact that newsmen were there was what motivated you to go there?

Captain KING. That's correct.

Mr. HUBERT. Because otherwise you had no connection with the transfer?

Captain KING. That's correct.

Mr. HUBERT. And you thought it was your duty to be there since you were the press man?

Captain KING. That's correct.

Mr. HUBERT. And where the press was, you would be?

Captain KING. That's correct.

Mr. HUBERT. I notice in the fourth paragraph you state that you talked briefly with Captain Jones, Captain Talbert, and Captain Arnett—do you recall the nature of the conversation?

Captain KING. I don't recall what was said only we spoke briefly, and I don't remember actually what any of us said. I remembered having seen them down there. I don't know whether it was anything more than a greeting or not.

Mr. HUBERT. Would you say that the conditions you have described concerning the press, that is to say, the number of them, the noise, the commotion, the cameras and so forth, continued to be as bad after Oswald was shot, as those conditions had been prior to the shooting? You see, heretofore, you have described the conditions really on the 22d and the 23d.

Captain KING. Yes.

Mr. HUBERT. And for the morning of the 24th. Then came the shooting of Oswald, and what would you have to say about the conditions with relation to the press after that incident as a comparison?

Captain KING. I don't recall any noticeable change.

Mr. HUBERT. Ruby was not ever on the third floor, as I recall it, was he?

Captain KING. I don't know—I don't remember ever having seen him on the third floor—I don't know whether he was there or not.

Mr. HUBERT. I have also shown you previously what appears to be a galley proof of the purported publication of a speech made by you before the meeting of the American Society of Newspaper Editors and I have marked this document for identification as follows: "Dallas, Texas, May 28, 1964, Exhibit No. 4, deposition of Capt. Glen D. King," and I have signed my name in the right-hand margin.

The pages that I have shown you are marked with blue ink—this is page 7 and it is on that page that I have marked the identification data which I have just dictated.

On page 8, marked in blue ink, I have put my name in the bottom right-hand corner, the same with page 9, and the same with page 10, and the same with page 11, where your speech ends at the top of page 11, and also I have marked my name on the bottom of page 17, because there is a comment by you there on that page, and the same with pages 18, 19, and 20.

Now, I think you have read this galley proof?

Captain KING. I have—yes.

Mr. HUBERT. Addressing ourselves now to pages 7, 8, 9, 10, and 11, which is the body of your speech, would you say that this is a correct report of what you said?

Captain KING. I'm sure it is—yes—as I said, I did not read this. I had a prepared text there that I actually didn't particularly follow. I spoke more extemporaneously then, and I can't remember exactly my wordage on it, but there is nothing in there I think that I did not say. There is nothing incorrect there.

Mr. HUBERT. Turning to page 17, it appears that a Mr. Black asked you to comment on a point, and there is printed on this galley proof on page 17 what purports to be your comment, and I think that you told me that you wanted to make some correction as to that comment?

Captain KING. Only in one word only. My answer as listed on this—

Mr. HUBERT. On page 17?

Captain KING. On page 17—it is written here, "I think it probably would be improper for me to comment on this even before the other members of the panel," and I think what I said there, and certainly what I would have intended to say, is, "I think it probable that it probably would be improper for me to comment on this even more than the other members of the panel."

Mr. HUBERT. In other words, your thought was that nobody should comment on it, and you least of all?

Captain KING. Me least of all—yes.

Mr. HUBERT. On other pages there are comments that appeared by you and I understand from what you tell me that these—this galley proof fairly represents what is correct as to what you said, as far as you can remember?

Captain KING. Yes.

Mr. HUBERT. Now, I would like the record to show that this galley proof shows some corrections made apparently by some editorial process, and at other places there are some apparent typewriter corrections and some words changed or added by pen and ink and that these various changes and comments were not made by me or by Captain King but are in the same condition as were received by me from the American Association of Newspaper Editors in this way, that by letter dated May 26, 1964. Mr. Gene Giancarlo, G-i-a-n-c-a-r-l-o [spelling], addressed a letter to Mr. Barefoot Sanders, U.S. attorney, enclosing this galley proof, and that Mr. Sanders handed this to me this morning.

Captain KING. Yes.

Mr. HUBERT. All of these comments being relative to Exhibit No. 4. Captain KING, is there anything you would like to add to what has been said?

Captain KING. I think not.

Mr. HUBERT. Immediately prior to the beginning of this deposition, I had a short conversation with you in which I showed you the various documents that were introduced. The rules of the Commission require that I now ask you if there was any discussion between us concerning those documents or anything else that is not covered in the deposition?

Captain KING. I recall nothing that was said before that was not covered after the deposition was begun.

Mr. HUBERT. And there is nothing inconsistent between what we spoke of before and what was covered in the deposition?

Captain KING. No inconsistencies.

Mr. HUBERT. Thank you very much, Captain.

Captain KING. Thank you. This is not of any particular value—this that I have here—but this is what I had prepared.

Mr. HUBERT. Let's get this in the record, Captain, that you have referred to a prepared speech that you went to the American Society of Newspapers conference with, as to what you have already testified, that you used this as a basis but actually spoke largely extemporaneously.

Captain KING. That's correct, sir.

Mr. HUBERT. You have also indicated to me that I may introduce this prepared copy of the text for whatever it is worth?

Captain KING. Yes; sir.

Mr. HUBERT. And I will do that and mark it for identification as follows, to

wit: I am placing in the right-hand margin the words, "Dallas, Texas, the date May 28, 1964, Exhibit No. 5, deposition of Capt. Glen D. King," and I am signing my name below that and I am initialing the second, the third, the fourth, the fifth, the sixth, the seventh and the eighth pages by placing my initials in the lower right-hand corner.

I have not read this Exhibit No. 5—do you know if there is anything in it that was omitted from the speech?

Captain KING. Not from the speech proper. Actually, I think there are no inconsistencies between this and the speech. There might have been some things said in the prepared text that I didn't say there, and I think there was, or vice versa, but I think there are no inconsistencies.

Mr. HUBERT. Well, in any case, the contents of Exhibit No. 5, whether or not spoken by you at the time you made your speech, represents your views in any case?

Captain KING. That's correct.

Mr. HUBERT. All right, sir, I think that is all. Thank you very much, Captain, and we appreciate it.

Captain KING. Thank you—I appreciate this opportunity to speak with you.

TESTIMONY OF C. RAY HALL

The testimony of C. Ray Hall was taken at 2 p.m., on May 28, 1964, in the office of the U.S. attorney, 301 Post Office Building, Byran and Ervay Streets, Dallas, Tex., by Mr. Leon D. Hubert, Jr., assistant counsel of the President's Commission.

Mr. HUBERT. This is the deposition of Mr. C. Ray Hall.

Mr. Hall, my name is Leon D. Hubert. I am a member of the advisory staff of the general counsel of the President's Commission on the Assassination of President Kennedy. Under the provisions of Executive Order 11130, dated November 29, 1963, issued by President Johnson, and the joint resolution of Congress No. 137, and the rules of procedure adopted by the President's Commission in conformity with the Executive order and the joint resolution, I have been authorized to take a sworn deposition from you. I state to you now that the general nature of the Commission's inquiry is to ascertain, evaluate, and report upon the facts relevant to the assassination of President Kennedy and the subsequent violent death of Lee Harvey Oswald. In particular, as to you, Mr. Hall, our inquiry today is to determine what facts you know about the death of Oswald, the interviews of Ruby, and any other pertinent facts that you may know about the general inquiry.

Mr. Hall, you appear today, I think, by virtue of a request made by Mr. J. Lee Rankin, General Counsel of the staff of the President's Commission to Mr. Hoover, and I suppose through Mr. Shanklin that you appear before me to take a deposition.

Mr. HALL. Yes.

Mr. HUBERT. Under the rules adopted by the Commission, all witnesses are entitled to 3 days' written notice prior to the taking of their deposition, but the rules also provide that a witness may waive that 3-day written notice if he wishes to do so, and I ask you now—do you desire to waive that 3-day written notice?

Mr. HALL. I will consent to waive the 3-day written notice for appearance before the Commission's representative.

Mr. HUBERT. Will you rise, please, so that I may administer the oath?

Do you solemnly swear that the testimony you are about to give here will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. HALL. I do.

Mr. HUBERT. Will you state your full name?

Mr. HALL. C. Ray Hall.

Mr. HUBERT. How old are you, Mr. Hall?

Mr. HALL. 45.

Mr. HUBERT. Where do you live?

Mr. HALL. Dallas, Tex.

Mr. HUBERT. What is your occupation?

Mr. HALL. I am a special agent with the Federal Bureau of Investigation.

Mr. HUBERT. How long have you been so employed?

Mr. HALL. Over 21 years.

Mr. HUBERT. And how long have you been stationed in the Dallas office area?

Mr. HALL. Almost 8 years.

Mr. HUBERT. Did I ask you your house residence?

Mr. HALL. I live at 6542 Ellsworth in Dallas, Tex.

Mr. HUBERT. Mr. Hall, were you in Dallas on the 24th of November 1963?

Mr. HALL. I was.

Mr. HUBERT. Did you have occasion on that date to interview or speak to a man by the name of Jack Ruby?

Mr. HALL. Yes, sir.

Mr. HUBERT. Did you know him prior to that date?

Mr. HALL. No, sir.

Mr. HUBERT. Would you tell us the circumstances under which you did talk to him? That is to say, how you were assigned the place, time, and so forth?

Mr. HALL. I was in the office of the chief of police in Dallas, Tex., at approximately 12:35 p.m. on November 24, 1963, when I received a telephone call from the special agent in charge of the FBI in Dallas, Tex., Mr. J. Gordon Shanklin, who instructed me to interview Jack Ruby.

Mr. HUBERT. Did you have to secure the permission of the chief to do so, just tell us what happened after that?

Mr. HALL. I immediately contacted the chief of police, Jesse Curry, and advised him that I would like to interview Jack Ruby.

Mr. HUBERT. You were in the same building at the time—you were in his office, the chief of police's office?

Mr. HALL. I was in his office at the time I received the telephone call.

Mr. HUBERT. And he was in there too?

Mr. HALL. Yes.

Mr. HUBERT. So, you were able to talk to him immediately?

Mr. HALL. Yes; well, actually, I took the phone call outside of his office, just outside of his office. I went into his office and explained to him that I would like to talk to Jack Ruby. Chief Curry stepped outside his office where a uniformed officer was and instructed this officer to take me immediately to where Jack Ruby was, and instructed the officers there on duty that I was to interview Jack Ruby immediately.

Mr. HUBERT. And where was Jack Ruby, then, when you first saw him?

Mr. HALL. Jack Ruby was in a cell in the city jail at Dallas, Tex.

Mr. HUBERT. Was he interviewed in that cell or elsewhere?

Mr. HALL. He was in a cell block area, by that I mean, there was an outer door and then a series of cells, with a hallway in between and he was the only occupant in that cell block area, the only prisoner being held in that area. There was a table and some chairs in the space between the front of the cells.

Mr. HUBERT. In the hallways?

Mr. HALL. Yes, sir; Ruby came outside to the table and we sat at the table during the time I interviewed him.

Mr. HUBERT. And your interview must have begun, then, about 5 minutes later, you suppose?

Mr. HALL. My interview with Jack Ruby commenced at 12:40 p.m. on November 24, 1963.

Mr. HUBERT. Did you know who else was present at the time you first went in?

Mr. HALL. Yes, sir.

Mr. HUBERT. Who was that?

Mr. HALL. Detective T. D. McMillon [spelling] M-c-M-i-l-l-o-n, of the auto theft bureau was seated in front of the cell where Ruby was sitting at the time I walked in. Just a few minutes later another detective named B. S. Clardy [spelling] C-l-a-r-d-y, from the auto theft bureau of the Dallas Police Depart-

ment came in. A uniformed officer, K. H. Haake [spelling] H-a-a-k-e, Badge No. 1107, was on guard duty at the outer door of the cell block.

Mr. HUBERT. Now, did those three persons you have mentioned remain within the sight and hearing of your interviewing of Jack Ruby throughout the whole time, from the beginning to the end?

Mr. HALL. No, sir.

Mr. HUBERT. Well, maybe we would be better to get the change of personnel first before we get into the statement. Could you clarify that—for instance—if McMillon left and someone else took his place and Clardy left, if you have a notation of that it will be helpful.

Mr. HALL. Officer Haake was some distance away at the outer door. He was present there but I doubt seriously if he heard the complete interview.

Mr. HUBERT. Was he inside or outside the outer door?

Mr. HALL. He was outside.

Mr. HUBERT. Outside the outer door?

Mr. HALL. Yes; Detectives McMillon and Clardy were present up until 3:15 p.m. when Jack Ruby was taken to the office of Capt. Will Fritz, the homicide and robbery bureau of the Dallas Police Department. After Ruby came back upstairs to the jail from the interview with Captain Fritz, apparently Detectives McMillon and Clardy had gone off duty and from that time on I was alone with Ruby in that cell block area interviewing him.

Mr. HUBERT. There was, then, sort of an interruption of your interviewing?

Mr. HALL. Yes; there were interruptions.

Mr. HUBERT. How long did this interruption take, so that we might, for instance, fix the time when the second part of this began, if you are able to help us on that?

Mr. HALL. There was more than one interruption, yes, sir; and I first entered the cell where Ruby was confined at 12:40 p.m. on November 24, 1963. Ruby conferred with Attorney Tom Howard from 1:58 p.m. to 2:02 p.m. He was then examined by Dr. Fred A. Bieberdorf (spelling) B-i-e-b-e-r-d-o-r-f, at 2:06 p.m. and I interviewed Ruby again from 2:24 p.m. until 3:15 p.m. I then returned to interviewing Jack Ruby from 4:30 until 5:30 p.m.

Mr. HUBERT. And at 5:30 p.m. your interviewing was over with?

Mr. HALL. Yes, sir.

Mr. HUBERT. And, as I understand it, then McMillon and Clardy were there from the time you began at 12:40 until the time you first stopped, that is, at 2:24, roughly?

Mr. HALL. McMillon and Clardy were actually with me from 12:40 until 3:15, because at the time Ruby was taken down to another floor to talk with his attorney and be examined by the doctor, McMillon, Clardy and I all went to the floor where he was taken, so we were all together all during that time from 12:40 p.m. until 3:15 p.m.

Mr. HUBERT. Then, you reinterviewed him for another hour, from 4:30 to 5:30?

Mr. HALL. Yes.

Mr. HUBERT. Now, from 3:15 to 4:30 he was being interviewed by Captain Fritz?

Mr. HALL. He was interviewed by Captain Fritz and then he was arraigned before Justice of the Peace Pierce McBride on a charge of shooting and killing Lee Harvey Oswald. Then he was returned to the fifth floor of the jail where he was searched by the jailers and given a white shirt and trousers as jail clothing and then returned to his cell. That is what occurred between 3:15 p.m. and 4:30 p.m.

Mr. HUBERT. Were you present during that period, 3:15 p.m. to 4:30 p.m.?

Mr. HALL. Yes, sir.

Mr. HUBERT. In other words, you were with Ruby all the way through?

Mr. HALL. Yes; I was with Ruby from 12:40 p.m. until 5:30 p.m. I did not participate in the interview by Captain Fritz, nor did I participate in any search of Ruby's things, but I was present.

Mr. HUBERT. But you were present?

Mr. HALL. Yes.

Mr. HUBERT. When you first went there, you found McMillon and Clardy?

Mr. HALL. Yes, sir.

Mr. HUBERT. And Mr. Sorrels of the Secret Service was not there?

Mr. HALL. No, sir.

Mr. HUBERT. Mr. Dean was not there, I believe, of the Dallas Police Department—P. T. Dean—only the two of them?

Mr. HALL. Those two officers were the only ones present, and Officer Haake was at an outer door. Mr. Sorrels of the Secret Service was in Captain Fritz' office during the time that Ruby was being interviewed down there.

Mr. HUBERT. But he was not present when you interviewed him?

Mr. HALL. No, sir.

Mr. HUBERT. Let me ask you this general question: first of all, did you or anyone in your presence, threaten Jack Ruby, offer him any promises of help, take any action or do anything to affect the voluntary nature of what he said?

Mr. HALL. No, sir.

Mr. HUBERT. Is it your opinion that what Jack Ruby told you was completely voluntary?

Mr. HALL. Yes, sir. At 12:45 p.m. on November 24 I advised Jack Ruby at the beginning of the interview that he was not required to make any statement, that he had a right to talk with an attorney before making any statement and that any statements he made could be used against him in a court of law.

Mr. HUBERT. And he indicated he understood what that meant?

Mr. HALL. Yes, sir.

Mr. HUBERT. Did he ask for any attorney?

Mr. HALL. No, sir.

Mr. HUBERT. How did Mr. Howard get into the matter; do you know?

Mr. HALL. I was interviewing Jack Ruby when one of the jailers, a uniformed officer that I did not know, came in and said that an attorney was downstairs and wanted to talk with Jack Ruby. I told him that Jack was available immediately to go talk with his attorney. Jack was wearing only a pair of shorts. The officers produced his clothing, gave him a shirt, trousers, his shoes, and then after dressing, he went downstairs and then talked to Mr. Howard.

Mr. HUBERT. You went with him too?

Mr. HALL. Yes, sir; I went with him too. Ruby did not know who the attorney was.

Mr. HUBERT. Did he recognize him when he saw him? I mean, did he say anything or do anything to indicate he did?

Mr. HALL. I don't know—Ruby walked over to a door where there was a screen where people can confer with prisoners and I was at the back of the room and I did not hear any of the conversation. They had a private talk—Ruby and Mr. Howard had a private talk.

Mr. HUBERT. Through the usual accommodations for attorneys-clients?

Mr. HALL. Yes, sir.

Mr. HUBERT. They are separated by a screen?

Mr. HALL. Yes, sir; and I stayed with the other officers and we were back. I knew Mr. Howard personally, I knew who he was, but whether Jack Ruby did or not, I do not know.

Mr. HUBERT. And that was, as I understand it, between 1:58 and 2:02?

Mr. HALL. Yes.

Mr. HUBERT. Or just about 6 minutes?

Mr. HALL. Four minutes.

Mr. HUBERT. Four minutes—and then he was brought back up?

Mr. HALL. The jail doctor, Dr. Fred A. Bieberdorf, was in the jail area and had apparently been there on other business, and one of the officers, I don't recall whether it was McMillon or Clardy, asked the doctor to look at Jack Ruby while he was there.

Mr. HUBERT. And when was that finished?

Mr. HALL. We returned to the floor above there, the fifth floor, and they—the police officers removed the clothing that had been given Jack and he was returned back to where he was wearing his shorts. Then, I started interviewing him again.

Mr. HUBERT. Now, this has been clarified to some extent already, but I would like to clarify it a bit further. Prior to doing so, let me mark the documents—I'm going to refer to for identification. I have marked the document which

purports to be a report of an interview by you, Mr. Hall, of Jack Ruby taken on November 24, 1963, appearing in the Clements' report of November 30, 1963, at pages 160, 161, 162, and 163.

We are identifying that document on the first page as follows: I have written into the right-hand margin the words, "Dallas, Texas, May 28, 1964, Exhibit No. 1 of the deposition of C. Ray Hall," and I have signed it "Leon D. Hubert, Jr.," and I have marked the next page of that document, being page 161, with my initials in the lower right-hand corner and the same with pages 162 and 163.

The other document also purports to be a report of an interview by you of Jack Ruby, dated, on the face of it, November 25, 1963. I have marked that document on the first page with the following: "Dallas, Texas, May 28, 1964, Exhibit No. 2 of the deposition of C. Ray Hall, Leon D. Hubert." This document with the successive pages also appears in the Clements' report of November 30, 1963, pages 13, 14, 15, 16, 17, and 18, and as to each of those pages, I have identified them for the purpose of this deposition by marking my initials in the lower right-hand corner.

Now, there has already been clarification, as you know, concerning the date on this Exhibit No. 2, that this was really an interview of November 24 rather than November 25.

Mr. HALL. Yes, sir.

Mr. HUBERT. That is to say, they are both November 24?

Mr. HALL. Yes; that was a typographical error.

Mr. HUBERT. Yes; that was a typographical error and that has been clarified.

What I would like to have clarified now was whether or not these two documents, and which actually appear in different places in the Clements' report, and to which I have given two exhibit numbers, really are a composite of the same interview, or does one of them refer to the first half, such as you have described it, and another to the other half? In other words, your interview was interrupted, you see, and I don't know whether this is a composite of all of it or whether one of them deals with that first half, which went from 12:40 or 12:44 to 3:15 p.m. and the other part from 4:30 to 5:30 p.m., just how it came to be—that there were two separate documents?

Mr. HALL. These two documents are a composite of the entire interview. The reason they were divided is for reporting purposes. By that, I mean, that the first document relates to the events that happened.

Mr. HUBERT. And by that "the first document" would you use by identification the exhibit numbers I have given them—which one do you mean by "the first"? The first one in Clements', of course, is Exhibit No. 2, as far as physical position is concerned, because it runs from page 13 to page 18 of the first volume of the Clements' report of November 30.

Mr. HALL. Your exhibit number here is wrong.

Mr. HUBERT. That's Commission Document No. 4, you see?

Mr. HALL. And this is what [indicating]?

Mr. HUBERT. Well, this is Commission Document No. 4 too, but different volumes.

Mr. HALL. Commission Document No. 4, vol. 1, relates primarily to the event that happened involving Jack Ruby.

Mr. HUBERT. That has been identified by us as Exhibit No. 2 for this deposition.

Mr. HALL. Yes; Exhibit No. 1, which is Commission Document No. 4, vol. 2, relates to background information. In this report we tried to set up a section of the report dealing with the background of Ruby.

Another section dealing with the event surrounding the murder of Lee Harvey Oswald was set up, and it was for that reason that there were two separate reports of an interview here set out, but it was actually a composite of the information obtained during this time between 12:40 p.m. and 5:30 p.m. on November 24, 1963.

Mr. HUBERT. Now, I notice from your report and principally, for example, at the bottom of page 15 on Exhibit No. 2 that Ruby refused to answer certain things and would not say, for instance, how he got into the basement and why he brought his revolver and so forth. Do you recall, or is there any way you can tell us whether that denial on his part came before or after he was interviewed by his attorney, Mr. Howard?

Mr. HALL. Well—

Mr. HUBERT. I notice that you are referring to some notes; are those the notes that you took contemporaneously with the interviewing?

Mr. HALL. Yes.

Mr. HUBERT. Have you a copy that will be available for introducing into the record?

Mr. HALL. Yes, sir.

Mr. HUBERT. These are your entire notes on the transactions?

Mr. HALL. No, sir.

Mr. HUBERT. You say there are two parts?

Mr. HALL. I have three copies of the same thing here for your benefit, Mr. Hubert. There are 3 pages there.

Mr. HUBERT. I understand; is this your entire notes?

Mr. HALL. This is an interview log in which I set forth the circumstances of the interview. These are not my notes on the actual interview. I do not have my notes of that interview. I took my notes and prepared these reports of the interview and I commenced the night following the interview and after that was typed up, then I destroyed the notes that I took at the time.

Mr. HUBERT. So, actually the running notes of the interviews themselves do not exist?

Mr. HALL. That's right.

Mr. HUBERT. That is, as I understand it, standard practice and the interview notes are destroyed after the report is made?

Mr. HALL. After the report of the interview has been prepared. In this case it was a matter of hours following that, and this represents my notes in effect because it was prepared from them.

Mr. HUBERT. It was prepared directly from them?

Mr. HALL. Yes, sir.

Mr. HUBERT. And immediately—the same day?

Mr. HALL. Immediately afterwards; it probably actually was extended after midnight that night.

Mr. HUBERT. What you have handed me as being your notes is really a log?

Mr. HALL. Yes, sir. It's a log showing the times, the date, who was present, and specifically the times and what happened.

Mr. HUBERT. Well, I'm going to mark it for the purpose of identification as follows: "Dallas, Texas, May 28, 1964, Exhibit No. 4 of the deposition of C. Ray Hall." On the first page I am signing my name below that. There is a second page which I am initialing in the lower right-hand corner and a third page which I am initialing in the right hand corner, and Mr. Hall, you have been kind enough to supply me with two extra copies which I thank you for, but I will just mark the one for identification, and I think you have already testified concerning what it is.

Mr. HALL. Back to your previous question as to whether this denial on the part of Ruby was before or after his conference with an attorney, Mr. Tom Howard, I believe his conference with Mr. Howard was after that denial?

Mr. HUBERT. In other words, he had refused to tell you he got in, in effect?

Mr. HALL. Yes.

Mr. HUBERT. Prior to having talked with Mr. Howard?

Mr. HALL. Yes; I based that on the time he went there, because his conference with Mr. Howard was almost 2 o'clock and there was only—a majority of the interview had been conducted before then.

Mr. HUBERT. Which was—an hour and 15 minutes it had been going on already?

Mr. HALL. Yes, sir.

Mr. HUBERT. Was he speaking freely to you?

Mr. HALL. Yes, sir.

Mr. HUBERT. Now, if you will refer again to what I have marked as Exhibit No. 2, I notice that Ruby at that time mentions a girl by the name of Karen Bennett of Fort Worth and about sending her a telegram. There is no mention in this report of having received a telephone call from her. Am I correct, then, in my assumption that he did not tell you that at that time?

Mr. HALL. He did not tell me that at that time.

Mr. HUBERT. I take it also that he did not tell you that the girl had called him

at that time—he did not tell you at that time that the girl had called him on the night before?

Mr. HALL. That's true. He did not tell me at that time.

Mr. HUBERT. Referring again to Exhibit No. 2 and page 15 thereof, in the very last paragraph, I wonder if you could clarify for us just what he meant there? You say that this is what Ruby advised you—"He said that sometime after sending the telegram he entered the basement building where the police department is located, entering from the Main Street side. Ruby did not wish to say how he got into the basement or at what time he entered."

We were a bit confused about that and wanted to get some clarification, because we don't know if he admitted then that he did go down the ramp, but didn't want to say anything more about it, or left any question open as to how he got in there. I mean, there is the possibility that there was another Main Street entrance that he could get in. As I understand it, really, he didn't deny, from what you gather, he went in through the ramp that goes down to the basement, but that is as far as he would go?

Mr. HALL. Yes; he would not give any details as to how he got in or what time—how he went about getting into the ramp to the basement from the Main Street side, but he did admit entering the basement from the Main Street side, and that ramp is the only way to get into it.

Mr. HUBERT. Now, I would like to show you another document which purports to be a report of an interview of Jack Ruby by you, Mr. Hall, and Mr. Clements—Manning C. Clements on December 12, 1963. For the purpose of identifying that document, as I understood your testimony about it later, I have marked it on the first page as follows: "Dallas, Texas, May 28, 1964, Exhibit No. 3, deposition of C. Ray Hall," and I have signed my name below that and I have marked each of the other pages with my initials in the lower right-hand corner. That document is the report of an interview of December 21, 1963, and runs from page 2 to the top of page 17 of the Clements' report of January 8, 1964.

Now, I would like you to tell us the circumstances of that interview, how it was arranged, who was present when it started and when it ended and so forth.

Mr. HALL. We had arranged for this interview with Mr. Melvin Belli, the attorney for Jack Ruby, who granted permission for this interview. The interview was held in an interview room located on floor 6-M of the Dallas County Jail in Dallas, Tex. Mr. Melvin Belli of San Francisco, Calif., Mr. Joe Tonahill of Jasper, Tex., Mr. Sam Brody of Los Angeles, Calif., and Mr. William Choulos, [spelling] C-h-o-u-l-o-s, of San Francisco, Calif., were present at the time Special Agent Manning C. Clements and I interviewed Jack Ruby.

Mr. Belli introduced Mr. Brody and Mr. Choulos as members of Mr. Belli's staff. This interview with Ruby commenced at 1:50 p.m. on December 21, 1963, and concluded at 5 o'clock p.m. on December 21, 1963.

Mr. HUBERT. Were the attorneys present all through that period, sir?

Mr. HALL. Yes, sir; during the entire time.

Mr. HUBERT. Did they take part in the interview at all in any active way?

Mr. HALL. No, sir.

Mr. HUBERT. Did they make any suggestions or make any objections?

Mr. HALL. I recall that at the beginning of the interview with Jack Ruby I advised Mr. Ruby that he did not have to make any statements and that he was represented by his attorneys who were present at the time of the interview and that any statements he made during this interview could be used against him in a court of law. At that time Mr. Tonahill objected to that statement, that the statements could be used against him in a court of law, and advised me under the Texas law that Mr. Ruby was under arrest and that oral statements could not be used against him in the court of law and that he would not waive such rights, but he would consent to the interview and that Ruby would answer any questions, and Mr. Belli told Ruby to go ahead and answer any questions, and assured Mr. Ruby that he was present and would look after his interests and would be awake during the entire time of the interview.

Mr. HUBERT. Did you conduct this in sort of a question and answer form, or did you more or less tell him to tell it in his own story?

Mr. HALL. It was primarily in a question and answer form. However, in answering a question, sometimes Ruby would continue and answer the question

and continue furnishing other information and as long as he talked I just made notes and then asked other questions.

Mr. HUBERT. Mr. Clements was present the whole time too?

Mr. HALL. Yes.

Mr. HUBERT. Did he make notes also?

Mr. HALL. We actually divided up this interview. I asked the questions during the first part, and in this Exhibit No. 3, page 12, at the beginning of the last paragraph on that page, Mr. Clements asked the questions and made the notes for the rest of this. That material preceding that, I asked the questions and made the notes.

Mr. HUBERT. What happened to the notes that you made and that Mr. Clements made?

Mr. HALL. As soon as I recorded this interview for my part of the interview on December 23, 1963, I destroyed my notes.

Mr. HUBERT. And that is in accordance with the standard procedure?

Mr. HALL. That is in accordance with the standard procedure.

Mr. HUBERT. Do you know what he did with his?

Mr. HALL. No, sir; I don't.

Mr. HUBERT. If he followed the standard practice, he would have done the same thing too?

Mr. HALL. It is optional—he may have retained them, but it is not necessary for him to do so.

Mr. HUBERT. But you were present when he was interviewing and he was present when you were interviewing?

Mr. HALL. Yes; I was present—both of us were present during the entire interview from 1:50 p.m. until 5 o'clock p.m., except for about a minute—I stepped out to get a drink of water at the time Mr. Clements commenced his interview—just outside—and returned immediately.

Mr. HUBERT. I notice on page 12, which I think would have been as you described it, part of your interview, you have there what purports to be a direct quote in the sense that the language is contained in that middle paragraph in quotation marks?

Mr. HALL. Yes, sir.

Mr. HUBERT. Does that mean that you actually wrote those words down, or is that a paraphrase too?

Mr. HALL. I wrote his exact words down there.

Mr. HUBERT. In other words, the fact that you put them in quotation marks in the report means you actually wrote the words down, and that is why you put quotation marks?

Mr. HALL. That's right; that's why I put the quotation marks.

Mr. HUBERT. In other words, it was a paraphrase, in a sense of what he is telling you?

Mr. HALL. It is in the third person and the others were in the first person language; yes, sir.

Mr. HUBERT. When you put language in quotes that way, actually take it down, did you or did you here read it back to him?

Mr. HALL. Yes, sir.

Mr. HUBERT. I guess he had to slow down or something so that you could get it, or were you using shorthand?

Mr. HALL. I used some shorthand, yes, sir; but primarily I was making actual notes. In something I thought was extremely pertinent, I took down his exact words.

Mr. HUBERT. Was this report ever shown to him or to his attorneys later?

Mr. HALL. No, sir; not to my knowledge.

Mr. HUBERT. If you would refer to page 10 of Exhibit No. 3, that is to say, the interview of December 21, in the middle paragraph you will note that here Ruby does refer to a call from "Little Lynn," who has been identified as Karen Bennett, on the morning of November 24, and following that, there is a statement that he told you on Friday night, November 22, he had to give her \$5 so she could get home—is that what he told you?

Mr. HALL. Yes, sir.

Mr. HUBERT. What I'm getting at, that is not a typographical error?

Mr. HALL. No, sir; because—I said, "Friday night," although that is what he told me, but if you will notice on page 1 of this exhibit when he is describing the incident where Little Lynn became sick, he said it was either on November 20 or November 21, so the exact days—it's possible that he was not sure of the exact dates, but this is what he told me.

Mr. HUBERT. That's what he told you? That's what I wanted to get straight.

Mr. HALL. That's what he told me because I had Friday, November 22, in my notes.

Mr. HUBERT. I think you appeared at the bond hearing in January and at that time apparently you were asked a series of questions relating to what Ruby had said to you about his activities on the morning of November 24, and you were asked whether he told you that he got up about 10, at least, ate breakfast, went downstairs and talked to his next door neighbor about building a dog fence. And then you asked to refer to your notes and they told you you could, but you said, "I don't have in my notes the time he got up." On the next page they had repeated that about the next door neighbor and the dog fence that they were talking about and then you stated, "He told me he talked to a next door neighbor. I don't recall him telling me about a fence." Now, did he mention who that neighbor was—is that the one that is referred to—

Mr. HALL. He referred to this next door neighbor as the father-in-law of Police Officer Buddy Munster.

Mr. HUBERT. And he said that he had talked to him but he didn't talk to him about a dog fence?

Mr. HALL. That was my testimony.

Mr. HUBERT. Yes.

Mr. HALL. That was my testimony which is recorded on there.

Mr. HUBERT. That's right; I just wanted to identify it with that.

Mr. HALL. With your exhibits here.

Mr. HUBERT. Your testimony when you said he did talk to you about a next door neighbor but you didn't recall him talking to you about a fence or a dog fence is actually a part of your report on page 10 of Exhibit No. 3, the very last paragraph?

Mr. HALL. Yes, sir.

Mr. HUBERT. And it is a fact that he didn't say anything about a dog fence or talking to this man about a dog fence, but merely talking to him?

Mr. HALL. He just made this statement as he drove out of his driveway he stopped and talked to his neighbor, name unknown, but who is the father-in-law of Police Officer Buddy Munster.

Mr. HUBERT. And that's what you referred to; is that it?

Mr. HALL. Yes, sir. If you wish to know who that neighbor was—he is Mr. J. Doyle Stokes or J. D. Stokes and he lives at 213 South Ewing. Now, Mr. Ruby did not give me that information.

Mr. HUBERT. Did you get a statement from him?

Mr. HALL. Yes; he was interviewed and you will find it in an interview under the name of Doyle Stokes.

Mr. HUBERT. He lives at 213 South Ewing Street and his real name is Jefferson D. Stokes; is that correct?

Mr. HALL. I'm not sure—his name is J. D. Stokes, I'm not sure whether the J. stands for Jefferson, but the D. stands for Doyle.

Mr. HUBERT. Did you testify at the trial on the merits too; that is to say, the main trial in February and March?

Mr. HALL. Of Ruby?

Mr. HUBERT. Yes, sir.

Mr. HALL. No, sir; I was not subpoenaed.

Mr. HUBERT. They only called you for this bond hearing?

Mr. HALL. I was subpoenaed at several of the hearings, but this bond hearing is the only court hearing of any type that I actually testified in.

Mr. HUBERT. Was Mr. Clements called to your knowledge?

Mr. HALL. During the trial?

Mr. HUBERT. Yes.

Mr. HALL. I'm not positive, but I don't believe he testified during it or at any of the hearings.

Mr. HUBERT. Did any of the State officials confer with you for the purpose of using you as witnesses to what Ruby had told you?

Mr. HALL. No, sir.

Mr. HUBERT. Do you know the reason why?

Mr. HALL. No, sir.

Mr. HUBERT. I think that's about all, Mr. Hall. Have you anything else you would like to add?

Mr. HALL. No, sir; I'll try to answer any questions you may have.

Mr. HUBERT. I don't think I have any more. That clarifies it all. Thank you, sir.

Mr. HALL. Thank you very much.

Mr. HUBERT. Mr. Hall, prior to the beginning of this deposition, you and I had not met in fact nor had we conversed in any way at all?

Mr. HALL. That's correct. As far as I know, I have never seen you before I entered this room.

Mr. HUBERT. I think we did speak about some of the acquaintances I knew many years ago in the FBI, but we did not speak about anything concerning this deposition at all?

Mr. HALL. No, sir; we had no conversation concerning this matter that you are connected with at anytime except during the time you were taking this deposition.

Mr. HUBERT. And so that all of our contact as to this whole matter has been a matter of record?

Mr. HALL. Yes, sir.

Mr. HUBERT. That's all, and I thank you very much.

Mr. HALL. Thank you.

TESTIMONY OF SETH KANTOR

The testimony of Seth Kantor was taken at 9:15 a.m., on June 2, 1964, at 200 Maryland Avenue NE., Washington, D.C., by Messrs Burt W. Griffin and Leon D. Hubert, Jr., assistant counsel of the President's Commission.

Mr. GRIFFIN. Mr. Kantor, as you know, the Commission has been set up pursuant to an Executive order of President Johnson, and a joint resolution of Congress, which was enacted on November 29 of last year. The Commission has been directed to inquire into and evaluate the evidence with respect to the assassination of President Kennedy and the murder of Lee Harvey Oswald. We have asked you to come here today because, from the interview that you have provided to the FBI it appears that you would have some information which would bear upon the activities of Jack Ruby, and the events that transpired during the time the President was assassinated and the time that Ruby shot Oswald. I believe that you received a letter from us.

Mr. KANTOR. I did.

Mr. GRIFFIN. Can you state for the record when you received the letter?

Mr. KANTOR. I want to make sure. I am not sure whether it was Thursday or Friday morning. The letter was dated May 28. I received it on the 29th.

Mr. GRIFFIN. Under the rules of the Commission, you are entitled to receive a 3-day notice by mail, and I believe that has been complied with.

Mr. KANTOR. There is something in the letter, though, I would like to bring up. It says, "The Commission is authorized to pay you the same fees as are paid to witnesses whose depositions are taken in connection with"—et cetera. I want to waive any fee which would be connected with this.

Mr. GRIFFIN. All right. You are certainly entitled to it. It is minimal, I can assure you. Do you have any other questions that you want to ask before we get started?

Mr. KANTOR. No, none.

Mr. GRIFFIN. Raise your right hand, please.

Do you solemnly swear that the testimony you are about to give is the truth, the whole truth, and nothing but the truth, so help you God?

Mr. KANTOR. I do.

Mr. GRIFFIN. Would you state for the record your full name?

Mr. KANTOR. Yes, my first name is Seth, last name is Kantor.

Mr. GRIFFIN. Where do you live?

Mr. KANTOR. I live at 4325 Maple Avenue, Bethesda.

Mr. GRIFFIN. Now, can you give us your birth date, please?

Mr. KANTOR. Yes. January 9, 1926.

Mr. GRIFFIN. Are you married?

Mr. KANTOR. I am married.

Mr. GRIFFIN. What is your occupation at present?

Mr. KANTOR. I am a newspaper writer. I am employed by Scripps-Howard Newspapers.

Mr. GRIFFIN. Any particular paper, or by the chain itself?

Mr. KANTOR. I am correspondent for Texas papers, and write for all of our papers as well.

Mr. GRIFFIN. How long have you been employed with Scripps-Howard?

Mr. KANTOR. A total of 5 years.

Mr. GRIFFIN. And what was your employment before that?

Mr. KANTOR. I was on the Dallas Times Herald, in Dallas, Tex., intermittently. I was on the Fort Worth Press, which is a Scripps-Howard paper. And then went to the Dallas Times Herald. And then came here.

Mr. GRIFFIN. You have been in Washington for 5 years, is that right?

Mr. KANTOR. No. I have been in Washington for 2 years.

Mr. GRIFFIN. I see. The 5-year period includes some time with the Dallas Times Herald?

Mr. KANTOR. With the Fort Worth Press, and with the Denver Rocky Mountain News, which are both Scripps-Howard papers.

Mr. GRIFFIN. I see. Now, when did you work for the Dallas Times Herald?

Mr. KANTOR. I worked for the Times Herald from September 1960 until May 1962.

Mr. GRIFFIN. What did you do before September 1960?

Mr. KANTOR. I was with the Fort Worth Press.

Mr. GRIFFIN. I take it, then, the 5 years we have covered are the total time you have been in the newspaper business.

Mr. KANTOR. Oh, no. I have been in the newspaper business about 18 years, but in the employ of Scripps-Howard for 5.

Mr. GRIFFIN. I see. Can you just give us a general idea where you have worked in those 18 years?

Mr. KANTOR. Yes. With the Associated Press in Detroit, and on the Lamar, Colo., Daily News, and the Pueblo, Colo., Chieftain, the Denver Rocky Mountain News. And I spent 5 years as a magazine writer for magazines published in New York.

Mr. GRIFFIN. And did you live in Dallas at some time? Is that correct?

Mr. KANTOR. For a 2-year period.

Mr. GRIFFIN. And what was that 2-year period? Can you tell us when it began and when it ended?

Mr. KANTOR. Yes. September 1960 until May 1962.

Mr. GRIFFIN. During those months, did you have occasion to meet Jack Ruby?

Mr. KANTOR. Yes.

Mr. GRIFFIN. Had you met him before September 1960?

Mr. KANTOR. No; I had not.

Mr. GRIFFIN. When did you first meet Mr. Ruby?

Mr. KANTOR. Well, it was within a very few months after I joined the Times Herald. I was a feature writer for the paper. I think by nature of the stories that I wrote, I sort of attracted Jack Ruby. He came up to my desk one day and introduced himself and said that he owned a club or clubs in town, and that he thought he might have some stories for me from time to time, and he did.

Over the next several months, he provided me with maybe as many as half-a-dozen feature stories, on characters in town.

Mr. GRIFFIN. Can you tell us what those stories are?

Mr. KANTOR. One was with an entertainer in his club, a lady who managed to charm snakes while she was stripping. She was also a housewife in the suburbs by day.

Mr. GRIFFIN. Was that story published?

Mr. KANTOR. Oh, yes.

Mr. GRIFFIN. Why don't you just go through these 6 stories, if you would, and tell us what they were, and if they were or were not published.

Mr. KANTOR. Well, each was published. I might have some difficulty remembering them at this point.

I remember a limbo dancer who he brought up from the Caribbean and said that he was helping in getting his citizenship. I did a story with the limbo dancer. We got a picture of him at the U.S. Naturalization Service office in Dallas passing under a low bar.

I did a lot of stories. I am really not sure off the top of my head. I wish I could have gotten out some old clips and prepared for this, if I had realized. But they were stories of that nature, anyway.

Mr. GRIFFIN. And your best estimate is that there would have been about half-a-dozen stories that you wrote?

Mr. KANTOR. Yes.

Mr. GRIFFIN. Now, did any of the stories that you wrote have to do with Jack Ruby himself?

Mr. KANTOR. No. I never wrote about him. I never went into either of his places.

Mr. GRIFFIN. Did you ever provide any publicity for Jack?

Mr. KANTOR. None, no.

Mr. GRIFFIN. You say you never went into any of his clubs. I take it by that you also did not know him on a social basis.

Mr. KANTOR. Did not know him on a social basis, no.

Mr. GRIFFIN. When you would see him from time to time, about how long would it be that you would talk with him?

Mr. KANTOR. Well, to begin with, it would vary. There was a photographer on the paper, for instance, who was doing some outside work for Jack Ruby.

Mr. GRIFFIN. Do you recall his name?

Mr. KANTOR. Yes. His name is Pete Fisher.

Mr. GRIFFIN. Do you recall the work that he was doing for him?

Mr. KANTOR. I don't know everything he was doing for him, but I believe he was making some stock publicity shots of the dancers in the club, the downtown club. And I well remember on one of the occasions that Jack was in the office about 7 or 8 o'clock one night to see Pete Fisher, and I was working late. I talked with Jack probably for more than an hour or so.

I don't know how many times I talked to him altogether, or how long each time period was. But they ranged, I guess, from a few minutes to about an hour.

Mr. GRIFFIN. Did you ever have occasion to meet him outside of your business?

Mr. KANTOR. No; I never did.

Mr. GRIFFIN. Now, did Mr. Ruby ever talk to you about himself, or about his background, or his clubs?

Mr. KANTOR. Yes. This one occasion I mentioned, when he was in the office late in the day, he had a young man with him who, I believe, he said was a nephew. At any rate, it was a relative. And he said that he was trying to help the boy and get him an education, and that he, himself, had not had too much of an education, and he felt that—he was sorry he wound up in the girlie show business. He wished that he had a more substantial occupation.

And, at that time, I recall he told me about growing up in Chicago, and that things were pretty hard for him, and that he had pulled himself up by the bootstraps and still would prefer to be out of the business he was in.

Mr. GRIFFIN. Did Mr. Ruby have any characteristic speech pattern that you recall? Anything unusual about his speech or noticeable?

Mr. KANTOR. I guess he had a very slight lisp, perhaps—not very strong, I would say.

Mr. GRIFFIN. How about his choice of words? Was he a man who was given to talking in grandiose terms or using profanity?

Mr. KANTOR. If he used profanity, it doesn't register with me. He was an effusive person. Obviously when he liked somebody or something, he liked that person or that thing very much. And if he didn't, he portrayed it rather strongly, also. And his facial expressions would change, depending on what he was talking about.

Mr. GRIFFIN. Do you remember any particular things that he expressed great like or dislike for?

Mr. KANTOR. Well, I remember one time he told me that he had met a movie star—and I honestly don't remember her name, except that she was sort of on the way down—out at Love Field, somewhere around 2 or 3 o'clock in the morning. He was out there, for whatever reason I don't know. And he talked to her for a period of time until her plane was ready. She was just going through. And he had gotten a promise from her to appear at his club. He was just ecstatic about this. He thought this was the greatest thing in the world. He was full of praise for her, because she stopped and talked with him, without knowing him at all.

Mr. GRIFFIN. Now, you were in Dallas, were you not, at the time that President Kennedy was shot?

Mr. KANTOR. Yes; I was.

Mr. GRIFFIN. Can you tell us where you were at the approximate time that the shots were fired?

Mr. KANTOR. I was in the motorcade. I was in the White House Press Bus No. 2. This was about—I don't know—11 vehicles back, or some such.

Mr. GRIFFIN. Now, were you in a position where you could hear the shots or see any of the actions?

Mr. KANTOR. I heard the last two shots. I didn't know there were three shots until some time later.

Mr. GRIFFIN. Well, after the shots were fired, what did you do?

Mr. KANTOR. We tried to get off the bus to see what had happened, but we were not allowed to, and the bus went at a high rate of speed out to the Dallas Trade Mart. There we were let out at a side entrance, and we still had no word of anything. We raced up four flights to a press office up there, and still could not find out what happened. So we raced down the four flights again.

One of the reporters—I don't know who—got on the phone and contacted the Dallas police, and talked to Chief Stevenson and discovered that the President had been shot and had been taken to Parkland Hospital.

Mr. GRIFFIN. Let me interrupt you here just a minute. Do you recall the route that you took from the scene of the shooting to the Parkland Hospital?

Mr. KANTOR. We went on to the Stemmons Expressway immediately, and took the expressway to a point immediately adjacent to the trade mart. I don't know what the little road is that goes off of it.

Mr. GRIFFIN. How long would you say that it took you to drive from the scene of the shooting to the trade mart?

Mr. KANTOR. We were traveling at a speed of about 65-70 miles an hour. I guess it would be 4 or 5 minutes.

Mr. GRIFFIN. And about how long did it take from the time you got out of that bus and ran up and down your four flights of stairs until the one press representative was able to make a telephone call?

Mr. KANTOR. I would guess about another 4 or 5 minutes.

Mr. GRIFFIN. All right. Now, after he made the telephone call, what happened—what did you do?

Mr. KANTOR. I shouted to a couple of the other reporters that I was familiar enough with Dallas and would get a taxicab. And someone who was there to attend the function for the President overheard me and volunteered the service of his station wagon. He gave us his name, but I didn't write it down, and don't remember it.

About eight of us got into the station wagon. And outside of the reporters who were in the pool car behind the President, we were the first group of reporters to arrive at the hospital.

This gentleman who drove us there in a station wagon broke an awful lot of traffic rules, and even went against traffic at a couple of points, driving on the

wrong side of the street. He took us across a field, I remember, at one point. We made it there very quickly.

Mr. GRIFFIN. Would this be a matter of 2 or 3 minutes, or 5 minutes?

Mr. KANTOR. I would guess 2 or 3 minutes, because Parkland Hospital, especially if you take shortcuts like that, is very close.

Mr. GRIFFIN. Now, did this man park and let you out, or did the vehicle just let you out and go on?

Mr. KANTOR. We were waved on to the emergency entrance side of Parkland by a policeman, and the driver let us out of the car, I would guess, 25 yards from the entrance.

Mr. GRIFFIN. I wonder if you would do this. I am going to hand you a pad of paper here and a pencil, and ask you if in a rough fashion you can sketch out where you were in relationship to Parkland Hospital, and draw on there a sufficient enough outline to indicate so that we can talk from here on about the diagram and where you went from time to time.

Mr. KANTOR. Well, now, you don't mean where I was in relationship to Parkland Hospital at the time of the shooting?

Mr. GRIFFIN. No; I mean once—we have arrived at the scene now, and the man has let you out about 25 yards from the entrance. Why don't we start with the diagram that shows that area, and would have enough detail in it to show the other areas you went to at Parkland Hospital.

Mr. KANTOR. All right. Well, roughly, at least as a start——

Mr. GRIFFIN. Excuse me. Let me mark this. I will put a notation down here. I am going to mark this yellow sheet of legal size paper "Seth Kantor Deposition, June 2, 1964, Exhibit No. 1."

(The document referred to was marked Seth Kantor Deposition, June 2, 1964, Exhibit No. 1, for identification.)

Mr. GRIFFIN. Now, referring to Exhibit No. 1, Mr. Kantor, why don't you go ahead and fill in the details and talk as you think is appropriate.

Mr. KANTOR. All right. We were waved in off of Harry Hines Boulevard, by an officer, which led us on a path on the southern side of the hospital to a point where the emergency entrance is on the western side. We were let out of the station wagon about 25 yards, I would guess, directly opposite the emergency entranceway.

Mr. GRIFFIN. All right. Now, you have marked that—shall we call that point 1 on the diagram. Mark that point 1, where you were let out.

Mr. KANTOR. All right.

Mr. GRIFFIN. Now, what did you do from there?

Mr. KANTOR. I remember that I was one of the reporters who hollered an assurance to the driver of the car that he could stay with us. He was worried about what would happen to him and his car. And he wanted, also, to know what was going on. But I left him cold. I ran as fast as I could to the front of the emergency entranceway, where I saw the President's limousine. There I saw a great deposit of blood on the ground next to it, on the right-hand side of the car.

Senator Ralph Yarborough, of Texas, was standing very close by, probably 4 or 5 yards away. And I went up to him and asked him what had happened, and he was reluctant to tell me what he had seen, although subsequently he told me he had seen enough to know that the President was dead, or in a dying condition. But he gave me several comments which would lead me to believe that a horrible thing had happened. And I told him that I absolutely had to get in.

He led me to a police officer standing in front of the emergency door and told the officer that I was with the party, and I produced my White House credentials. And the officer let me in.

I took up search for a telephone. I saw Merriman Smith of United Press International using a phone at a desk in a hallway, and went past him, down a hallway just a very short distance to where I found a phone in a booth.

Mr. GRIFFIN. This was a pay telephone?

Mr. KANTOR. No; to my best recollection it was not. I don't really remember for sure—but I don't believe it was.

Mr. GRIFFIN. But the phone was on the first floor of Parkland Hospital?

Mr. KANTOR. Yes; that is right. And I had difficulty reaching Washington.

Mr. GRIFFIN. Let me interrupt you here. Did you have to go through a hospital operator?

Mr. KANTOR. I am just trying to remember. I don't think it was a pay phone, and I think my trouble was dialing and getting out. I made several attempts at it, as I recall, and finally got a Dallas long-distance operator, who put me through to Washington. I think that is where the problem had been—just getting out. And I telephoned what I could to the Scripps-Howard office in Washington—that is, the little bit I had seen, and the comments I had gotten from Senator Yarborough.

Mr. GRIFFIN. Now, at the time you made this telephone call, what was your impression as to the condition of the President?

Mr. KANTOR. I had no idea, beyond the fact that I had seen the blood and that Senator Yarborough had told me that something very terrible had happened.

While on the phone, I discovered that I was immediately across the hall from a door which led from the emergency area. I saw Mrs. Johnson being led out, I believe, on the arm of a Secret Service man on one side and on the arm of Representative Jack Brooks, of Texas, on the other. And I saw a priest coming out of this area—out of this doorway.

Mr. GRIFFIN. Are you able to describe what was behind that door, other than it was an emergency door?

Mr. KANTOR. I attempted actually to go in before I got on the phone, and the Secret Service man who was stationed there told me I couldn't go in.

Mr. GRIFFIN. Did you later find out what was in that area?

Mr. KANTOR. Not exactly. A few days later I got a description of what the emergency area was like inside. But I don't know exactly which part of it I was facing at the time I was on the telephone. I was dictating a story in to Jim Lucas of Scripps-Howard, and just describing things as I saw them unfold in the hallway at that point.

Mr. GRIFFIN. About how long did this telephone conversation with Mr. Lucas last?

Mr. KANTOR. Well, counting the time that it took me to get Washington, and my story dictated, I would say about 20 to 25 minutes.

Mr. GRIFFIN. When you make a long-distance telephone call to your home office, do you use a credit card, or is there some other indication used by the telephone company for billing purposes?

Mr. KANTOR. No; I just called direct.

Mr. GRIFFIN. Can you tell us the telephone number that you called in Washington?

Mr. KANTOR. Yes; I called District 7-7750.

Mr. GRIFFIN. Were there other Scripps-Howard representatives at Parkland Hospital at the time you made this call?

Mr. KANTOR. No; I was the only person on the trip for Scripps-Howard.

Mr. GRIFFIN. Did you ask for any particular person? Was it a station-to-station call?

Mr. KANTOR. It was a station-to-station call, and the switchboard operator gave me a man by the name of Charles Egger, who is managing editor of Scripps-Howard.

Mr. GRIFFIN. After you had completed that telephone call, what did you do?

Mr. KANTOR. I walked into the hall where I saw two Texas Congressmen who were on the trip, Representatives Henry Gonzalez and Albert Thomas, standing together. They were immobile, and they were standing against a wall. I asked them for whatever they could tell me. Henry Gonzalez appeared to be unable to speak. At least he did not speak. And Albert Thomas told me that a brain surgeon had been brought in for the President.

That was the first I knew that the President had been hit in the head. It was at that point, when Malcolm Kilduff, who was in charge of press arrangements for the White House on the trip, came behind me and just touched my back as he passed by, and he said, "Come with me, I have an announcement to make."

Mr. GRIFFIN. Where did you go?

Mr. KANTOR. I followed him out of the emergency door and on to the grass. He was accompanied by Merriman Smith, who was incessantly asking for what-

ever news there was without waiting to go where Kilduff was going, and another man with him was—I am sorry, I have forgotten his name——

Mr. GRIFFIN. I think it is actually in one of your earlier interviews. We will get to that later.

Mr. KANTOR. All right. At any rate, I was directly behind Kilduff, who was moving rapidly. And we went on to the grass and up a little hill and around the corner of the hospital, moving from west to south.

Mr. GRIFFIN. Back up towards Harry Hines Boulevard?

Mr. KANTOR. Yes; that is right. We went in an entranceway. I am not sure whether it was the main entrance of the hospital or whether there is a door near the main entrance of the hospital.

Mr. GRIFFIN. Yes; would you mark on the diagram there where the main entrance is?

Mr. KANTOR. Yes—No. 2?

Mr. GRIFFIN. Just write "Main Entrance." We will use the numbers for your position.

Mr. KANTOR. All right. I followed Mr. Kilduff up a flight of stairs to the second floor, and down one or two hallways, until we came to the room where he made the announcement that the President had died.

Mr. GRIFFIN. About how long did the announcement take?

Mr. KANTOR. The announcement was very brief. I don't know actually where all the other reporters came from. There were quite a number of reporters in the room already. And as best as I understand it, there were a vast number of reporters who never got into the hospital in the emergency area, and had moved into this second floor room for the announcement.

At any rate, everybody seemed ready for an announcement at the time that Mr. Kilduff got there. And so the announcement itself took a minute.

Mr. GRIFFIN. Now, at the time the announcement was made, had you talked with other reporters or other people in the area so that you were able to tell whether there was any prevailing attitude or rumors circulating around as to the condition of the President?

Mr. KANTOR. No; I had no opportunity. The only people I talked to were the two Texas Congressmen, as I got off the phone, and that was the only word I had with anyone until the announcement came from Malcolm.

Mr. GRIFFIN. So that you didn't, yourself, even have any firm expectation as to what the announcement of Kilduff would be?

Mr. KANTOR. No; I knew it was a rather grim situation, but I didn't know how grim.

Mr. GRIFFIN. Was a prepared statement handed out?

Mr. KANTOR. No; it was not. He made the statement under trying circumstances. His voice was quivering. He was leaning on a table which is used by a teacher in the classroom, which was being used as an emergency press headquarters. With great difficulty he made the announcement that the President had died at about 1 o'clock, which would have been a half hour before he was making the announcement.

Mr. GRIFFIN. How do you fix the time of the announcement at 1:30?

Mr. KANTOR. I was following my watch very closely because it was a matter of newspaper deadlines, especially for our Texas papers. The reason I had called Washington was because I felt that I could not begin calling our three papers in Texas individually, and I felt that from Washington the story could be related to all 18 of our papers. And so I was watching the time closely.

Mr. GRIFFIN. And did you report to your Washington office that the time of the announcement had been 1:30?

Mr. KANTOR. I believe I did. And if I didn't, the wire services were doing that at the same time. But Mr. Kilduff said that he would have further announcements to make in—I think he established the time as 10 minutes. And told us to make our phone calls or do what we had to do, and return to this room.

Mr. GRIFFIN. Did you make a phone call?

Mr. KANTOR. Yes; I went down the hall. There were no phones set up for us, of course. We were going into whatever offices we could find with available phones. I went into an office, a large office, which had three nurses in it, and

asked if I could use one of their phones. And, again, I had trouble getting out.

After trying over and over, I managed to talk to Mr. Egger again and tell him. And by now he was concerned with the Vice President, what was going to happen there, and should the office send another man down to start following Mr. Johnson.

Mr. GRIFFIN. About how long did this telephone conversation last?

Mr. KANTOR. Probably took me 5 minutes to get out, and the conversation was about 5 minutes.

Mr. GRIFFIN. And then did you return to Mr. Kilduff for further announcements?

Mr. KANTOR. I returned to the room, and Mr. Kilduff, to the best of my recollection, was not there.

Mr. GRIFFIN. How long after you made your telephone call was it before you walked outside of Parkland Hospital again?

Mr. KANTOR. Well, upon later recollection I thought that it was about 10 to 15 minutes, because we went back into the makeshift pressroom and—I really am not sure whether Mr. Kilduff was there or not.

But Bill Stinson, who was—who is an aide to Governor John Connally, came in dressed in a doctor's uniform—he had just come from the emergency room, and was mistaken for being a doctor. And I remember Kilduff or someone talking to him before Stinson talked to us to tell us about the Governor's condition. I remember Kilduff saying, "1 o'clock, 1 o'clock, 1 o'clock." I didn't know what significance that had. So I guess that Malcolm Kilduff was there when we returned.

Wayne Hawks, of the transportation staff of the White House, interrupted and said that a pool was needed immediately, and about four or five of us, perhaps as many as seven people altogether, followed him and ran down a stairway towards the main entranceway. I didn't know what a pool was needed for, and I was very reluctant to leave the hospital. But when I got outside in the main entrance area, I saw the Texas congressional delegation——

Mr. GRIFFIN. About where was that? Put a number on the diagram, please.

Mr. KANTOR. Yes; the sidewalk curved, somehow, like this, and the cars were stretched along this area.

Mr. GRIFFIN. All right. Let me indicate for the record that you have placed a No. "2" on the diagram, and that you have made a curved line that indicates a walk, and some marks alongside it to represent the automobiles. Go ahead.

Mr. KANTOR. I spoke to Henry Gonzalez, who was holding a brown paper bag in his hand. He told me that it was the effects of Governor Connally. Mr. Gonzalez was still badly shaken.

And I talked to Senator Yarborough again. And he said that the group was going to the airport immediately.

And I knew then that the pool was formed to go out to the airport. However, I still didn't want to leave the hospital, because I know that my office was concerned with what was going to happen to Mr. Johnson.

At the same time, I saw Mr. and Mrs. Johnson closely guarded coming out of the hospital, completely surrounded by men, and put into a car, and they sped away.

I spoke to the mayor of Dallas, Earl Cabell. He was unable to furnish me with any information as to what was going to happen. I turned then and went back up to the second floor.

Now, as I had told the FBI, it was either at this point or it was at a point originally when I went up behind Malcolm Kilduff that I spoke with Jack Ruby.

Mr. GRIFFIN. All right. Now, let me ask you to place on the map approximately where you were the first time that you think you might have seen Jack Ruby—if you would place a No. "3" on the map where you were the first time when you think you might have seen Ruby.

Mr. KANTOR. All right. It was inside the building, but just barely inside. It was just immediately inside the doorway. I am not sure, as I said, whether there was a small door next to the main entrance itself, or whether this occurred just inside the main entrance. But it seems to me it was——

Mr. GRIFFIN. Let me suggest that maybe what you could do is use two

numbers, a 3-A and 3-B, to indicate the two places the first time you think you might have seen Ruby.

Mr. KANTOR. Well, so far as I remember, it would—I mean I am talking about the same place in both instances.

Mr. GRIFFIN. I see. Let me——

Mr. KANTOR. I am just not sure in my memory of the physical makeup of this entranceway.

Mr. GRIFFIN. Let me get this straight, then. The first time you saw Ruby, before you went up to Mr. Kilduff's press conference——

Mr. KANTOR. No, sir; what I am saying is I only saw him once and talked to him that time.

Mr. GRIFFIN. I understand. You are not sure whether you saw him before or after the press conference?

Mr. KANTOR. That is right.

Mr. GRIFFIN. Now, if you saw him the first time, are you uncertain as to whether—as to which door it was that you saw him by?

Mr. KANTOR. Yes; I am uncertain as to which door I went in. And as I went in the door, that is where he was.

Mr. GRIFFIN. Now, what I am asking you to do, then, is indicate by the Nos. 3-A and 3-B where these two doors might have been that you are uncertain about, having reference to the time you went into the building just before the press conference.

Mr. KANTOR. Well, it was the same door both times. It is just that I am unsure where that door is.

Mr. GRIFFIN. All right.

Mr. KANTOR. But it is in this main entrance area.

Mr. GRIFFIN. I take it——

Mr. KANTOR. I would have to just guess, really.

Mr. GRIFFIN. I take it from what you are saying that you feel that the door was not on that portion of the entranceway towards Harry Hines Boulevard, or am I mistaken about that? I want to try to limit this somewhere as to what area you think this might have been in.

Mr. KANTOR. I don't recall going past the main entranceway, going towards Harry Hines Boulevard. It seems to me that it either was right at the main entrance, or a door perhaps adjacent to the main entrance, because it seems like it was a small entranceway.

Mr. GRIFFIN. All right. Now, let me ask you again then—why don't you place a 3-A where this small door before the main entranceway might have been, and a 3-B generally indicating the main entranceway.

Mr. KANTOR. All right.

Mr. GRIFFIN. Now, is there anything in particular about the doorway that you were in—that you were near at the time you thought you saw Ruby that sticks out in your mind?

Mr. KANTOR. Well, three things. It was not a large doorway keeps sticking in my mind—that is why I have doubts about it being right in the main entrance. Also there were stairs within, a very few steps, 5 to 10 steps, probably, within the doorway there was a stairway going up. And, thirdly, I recall that beside Jack Ruby there were nurses and there were people who looked like interns—at any rate they were doctors, dressed in white.

Mr. GRIFFIN. Now, do you recall if during the period you were at Parkland Hospital, as you drove into Parkland Hospital and at the time you left, if this entranceway to the hospital by Harry Hines Boulevard was blocked or guarded in any way to prevent the entrance of normal private vehicles?

Mr. KANTOR. It appeared to be that way as we came up. On the other hand, the driver of our vehicle, at our urging, leaned out of his window and hollered "Press." Perhaps he said White House Press. At any rate, the officer immediately in our way backed off and waved us in.

Mr. GRIFFIN. Now, directing your attention to the main entranceway of the hospital, where would parking facilities be in relationship to that main entranceway for normal people visiting the hospital on regular business?

Mr. KANTOR. Even when I was a newspaperman in Dallas, I always went to the emergency area when I had to go to the hospital, because it was relative to

a story. I am not totally sure about this area. There is a parking area—because I can remember buses coming in and out of this area here. But it seems to me it would be set back on the opposite side, and that this would be the thoroughway.

Mr. GRIFFIN. All right. Now, you have drawn a line perpendicular to Harry Hines Boulevard, paralleling the side of Parkland Hospital that the main entrance is on, and then to—would that be the south of that line?

Mr. KANTOR. Yes.

Mr. GRIFFIN. You have placed some more hashmarks, and you think there is where the general parking area was.

Mr. KANTOR. Yes; it is very vague to me.

Mr. GRIFFIN. We can check this ourselves. I am trying to get some idea where a man like Ruby would have parked his automobile to get to the place where you think you saw him.

Well, now, what happened—

Mr. KANTOR. Well, excuse me. I am sorry. If that is what you are getting at. There is a parking area on the west side, also, as best I can remember, because, it seems to me that there were a great number of cars in the area where we were first let out of the station wagon.

Mr. GRIFFIN. I see. Now, would the parking area be in here where I am placing this line?

Mr. KANTOR. I believe so, yes.

Mr. GRIFFIN. I will write "Parking" on there. And I will put parking over there, just in front of the main entrance to the hospital.

Mr. KANTOR. Yes.

Mr. GRIFFIN. Now, can you tell us what happened when you saw Ruby—when you encountered Ruby at Parkland Hospital, what the encounter consisted of?

Mr. KANTOR. Yes; I apparently walked right past him, because the first I was aware of Jack Ruby was that as I was walking, I was stopped momentarily by a tug on the back of my jacket. And I turned and saw Jack Ruby standing there. He had his hand extended. I very well remember my first thought. I thought, well, there is Jack Ruby. I had been away from Dallas 18 months and 1 day at that time, but it seemed just perfectly normal to see Jack Ruby standing there, because he was a known goer to events. And I had my mind full of many things.

My next reaction was to just turn and continue on my way. But he did have his hand out. And I took his hand and shook hands with him. He called me by name. And I said hello to him, I said, "Hello, Jack," I guess. And he said, "Isn't this a terrible thing?" I said, "Yes"; but I also knew it was no time for small talk, and I was most anxious to continue on up the stairway, because I was standing right at the base of the stairway.

Mr. GRIFFIN. Were you inside the building or outside?

Mr. KANTOR. I was inside the building, just immediately inside the building.

Mr. GRIFFIN. Were the doors guarded?

Mr. KANTOR. If there was a guard on the door, I don't recall seeing one.

Mr. GRIFFIN. Now, you do recall, however, that there was a guard at the entrance to the emergency area?

Mr. KANTOR. There was at least one guard, yes—when I first got there.

Mr. GRIFFIN. I see. Go ahead.

Mr. KANTOR. A Dallas policeman. I am not sure how many Secret Service men or other guards there were. But I do remember this one man, because he let me in.

At any rate, Jack Ruby said, "Isn't this a terrible thing," or words to that effect. I agreed with him that it was.

And he said—and he had quite a look of consternation on his face. He looked emotional—which also seemed fitting enough for Jack Ruby.

But he asked me, curiously enough, he said, "Should I close my places for the next 3 nights, do you think?"

And I said, "Yes, I think that is a good idea."

And I excused myself. And he said he understood, and I went on.

And that was the sum total of it.

Mr. GRIFFIN. Let me ask you this: At the time you were out at Parkland

Hospital, did you see any other press representatives whom you had remembered from your days in Dallas, who worked in Dallas?

Mr. KANTOR. I didn't see any outside. However, by the time Kilduff made his announcement at 1:30, there were newsmen coming in from all over whom I recognized. And because of this weird situation, unreal situation, I didn't speak to any then.

During the next hour or so that I was in the hospital I saw a number of news people from both Dallas and Fort Worth who I at least said hello to, who I know.

Mr. GRIFFIN. Do you remember if there were any people from the Dallas Morning News that you saw at Parkland Hospital, either reporters or photographers?

Mr. KANTOR. I can tell you who I remember seeing, and I don't think I recall seeing a Dallas Morning News person at all until I got to the police station later that afternoon.

Mr. GRIFFIN. You are going to tell me who you remember seeing from the Dallas papers at Parkland Hospital, or just who you generally remember seeing during those 3 days.

Mr. KANTOR. I can tell you who I can remember seeing in the makeshift press headquarters from Dallas and Fort Worth.

Mr. GRIFFIN. At Parkland?

Mr. KANTOR. Yes.

Mr. GRIFFIN. All right. But I take it you don't remember anybody from the Morning News?

Mr. KANTOR. I don't recall anyone from the Dallas Morning News, no, as a matter of fact.

Mr. GRIFFIN. All right. How far is the Morning News Building in Dallas from the Times Herald Building?

Mr. KANTOR. The better part of a mile.

Mr. GRIFFIN. When you saw Ruby, did you notice anybody with him? Did he seem to be with anybody?

Mr. KANTOR. He didn't seem to be with anybody. The only other people I noticed in this area—as I say, it seemed like a small entranceway, and it was just a very few steps to the stairway—were these people who appeared to be hospital attendants.

Mr. GRIFFIN. Now, do you recall if at the time you were at Parkland Hospital there were television cameras setup outside the main entranceway?

Mr. KANTOR. No. I was told later on that various people around the country who I know saw me on television as I came out to talk to the Congressmen before they went out to Love Field, and I was not aware of any cameras.

Mr. GRIFFIN. But it is your best impression that you were shown on TV?

Mr. KANTOR. Well, I have been told that.

Mr. GRIFFIN. Have you any idea what TV networks you appeared on?

Mr. KANTOR. No, sir; none.

Mr. GRIFFIN. Now——

Mr. KANTOR. This happened frequently, incidentally, over the weekend, also, in the police station as well. I don't know—I guess all the networks were involved at one point or another, but I don't know when or where.

Mr. GRIFFIN. In the first report that you made of this encounter with Ruby, you reported that you saw him before you went to the press conference.

Mr. KANTOR. That is right.

Mr. GRIFFIN. And now as I understand your testimony, you are not sure whether it was before or after.

Mr. KANTOR. Yes; and the thing that gave me pause was that Jack Ruby had specifically said to me, or asked me my opinion about closing his places for three nights, and it occurred to me later on that no announcement of the President's death had been made, as I was following Kilduff up the stairway, at 1:30, whereas at approximately 2 o'clock it had been made.

Mr. GRIFFIN. Would you try to focus on your state of mind at the time that you first wrote your newspaper article about this, and reported that it was before the press conference. What was it at that time that made you think that you saw Ruby before the press conference?

Mr. KANTOR. To be honest, with all the events crowded into that weekend, I don't think that I recalled the significance of my second brief trip out of the hospital to the main entranceway in front of the hospital, and then back in again. It was a very fast trip. And I think it was just a failure on my part to remember the second incident.

Mr. GRIFFIN. All right. As you were going back into the hospital the second time, where were you going?

Mr. KANTOR. I was returning to the makeshift press headquarters in the classroom, on the second floor.

Mr. GRIFFIN. As you were entering that building, did you have any expectation that there was something important going on at that pressroom that you ought to get to right away?

Mr. KANTOR. Well, I didn't know. I knew that I was not going with this pool group, and that my people in Washington were interested in knowing the logistics of the U.S. Government at that moment, where Lyndon Johnson was going and what was going to happen, and were we remaining in Dallas, and John Connally's condition, and everything at once. And this seemed to be the logical place to get whatever information there was, because information was very scanty.

Mr. GRIFFIN. What I want to get at is whether your concern or apprehension about getting into the building was any greater as you went in before the press conference than it was when you returned after the press conference.

Mr. KANTOR. No; I would say this was a consistent feeling.

Mr. GRIFFIN. So that your reluctance to stop and talk with Ruby when you saw him wouldn't have been any greater at one time than at another?

Mr. KANTOR. Oh, no. I saw really a number of close friends on the second floor of the hospital, newspapermen who I had known intimately, been to their house, and they had been to my house quite often. And we still didn't indulge in anything resembling small talk.

Mr. GRIFFIN. Well, do you have any question in your mind that you did see Ruby out at Parkland Hospital?

Mr. KANTOR. If it was a matter of just seeing him, I would have long ago been full of doubt. But I did talk to the man, and he did stop me, and I just can't have any doubt about that.

Mr. GRIFFIN. Now—

Mr. KANTOR. As a matter of fact, I didn't give it much thought, or any thought, perhaps, again, concrete thought at least, until the following night, Saturday night, when things quieted down enough so that I could take a walk in downtown Dallas, somewhere around 10 o'clock in the evening. And I passed by Ruby's place, the Carousel, and saw a sign on the door stating that it was closed. And I recalled this weird conversation I had had with him at the hospital.

Mr. GRIFFIN. Now—

Mr. KANTOR. Excuse me—because a man named Barney Weinstein, who operates a strip joint a couple of doors away, had his place open.

Mr. GRIFFIN. When did you first think about this again after Saturday?

Mr. KANTOR. Well, I understood later on that Jack Ruby had been in the assembly room in the basement of the Dallas Police Station after midnight on Friday going into Saturday. I didn't see him at that time. I was in that room. It was a very crowded room. But I thought about our conversation on Saturday when I passed by his place. And earlier Saturday evening I thought of Jack Ruby because meat sandwiches, beef sandwiches, I believe they were, had shown up in the pressroom of the Dallas Police Station, and I heard someone remark that Jack Ruby had brought them in. I didn't see him then, either.

Mr. GRIFFIN. You heard this while you were at the police station?

Mr. KANTOR. Yes; Well, I was going in the room to get a sandwich, and they were gone, they were gone very rapidly. I heard someone either specifically say it to me or I heard someone specifically saying to someone else that Jack Ruby was the person that brought these in.

Mr. GRIFFIN. Was that Friday afternoon or late Friday evening, or in the middle of Friday?

Mr. KANTOR. I am not sure now. It seems to me that it was Saturday. It seems to me that it was Saturday, late afternoon.

Mr. GRIFFIN. Well, when, after you walked down Commerce Street on Saturday night did you next think about your encounter with Ruby at Parkland Hospital?

Mr. KANTOR. Well, having walked past his place, and having seen that it was closed, I don't know whether I gave it any more thought.

Mr. GRIFFIN. I mean after that, when was the next time you thought about it?

Mr. KANTOR. The next time was just moments after 11:21 a.m., Sunday morning, when I discovered that Jack Ruby had shot Oswald.

Mr. GRIFFIN. Now, what did you do immediately after Ruby shot Oswald?

Mr. KANTOR. Well, to begin with, I didn't see anything more than a hand and a gun as the shooting occurred. I was very close to where Lee Harvey Oswald was walking. I was intently watching his face and was in hopes I could ask him a question as he approached.

Mr. GRIFFIN. All right. Let me ask you to do this. We have a diagram here of the jail basement. You might take a look at it. I am going to mark on the diagram "Seth Kantor Deposition, June 2, 1964, Exhibit No. 2."

(The document referred to was marked Seth Kantor, Exhibit No. 2, June 2, 1964, for identification.)

Mr. GRIFFIN. I will try to explain the diagram to you.

Mr. KANTOR. I think I am beginning to understand. This is a rampway here and a rampway here, is it not?

Mr. GRIFFIN. You have got the sides right. Here is the Main Street; here is Commerce Street. Now, the ramp is at this point where it says down ramp—that is the Main Street ramp. And at the base of the Main Street ramp, there are some designations as to footage across the ramp. And then in the portion of the map which is closest to you there is a diagram of the jail office and the hallway that leads from the Harwood Street side of the jail into the ramp area.

Mr. KANTOR. Yes; I see.

Mr. GRIFFIN. And to refresh your recollection, the jail elevator which is shown on the map is the elevator that Oswald was brought out of, and he was led around in front of the dotted lines which are shown in the diagram, and then over to a door which is also shown. Now, why don't you again take a pencil and indicate on the map where you were standing at the time Oswald was shot. Why don't you just cut a "K" there for yourself.

Mr. KANTOR. All right.

Mr. GRIFFIN. Now, you indicated that you were standing right at what would be the entranceway to the parking area of the garage on the west side of the ramps that lead through the basement.

Mr. KANTOR. That is right.

Mr. GRIFFIN. Now, you mention in your statement to the FBI that you saw Detective Combest in the basement. Did you know Combest before—

Mr. KANTOR. No; the first time I talked to him was upstairs outside Chief Curry's office following the shooting.

Mr. GRIFFIN. Can you show us on the diagram here where Combest was standing, to your recollection?

Mr. KANTOR. Right here.

Mr. GRIFFIN. Marked with an X. Now, can you put a mark on the map where Ruby was when you first saw him?

Mr. KANTOR. He was on the floor, having shot Lee Harvey Oswald, in approximately the same place where I designated where Billy Combest was standing.

Mr. GRIFFIN. I see. So when you say all you saw was an arm and a gun, you didn't even notice him before the shooting?

Mr. KANTOR. No; I thought it was an officer who shot Oswald. That was my first reaction.

Mr. GRIFFIN. All right. Now, you indicated in your statement to the FBI that you heard Combest say something. Did you actually hear that, or did Combest tell you that?

Mr. KANTOR. No; I heard the words and did not know who uttered them.

Mr. GRIFFIN. I see. And is it fair to say—well, let me ask you this: The words that you heard, could you tell if they came from one person or more than one

person? Or was the confusion so great and things moving so quickly you couldn't really distinguish?

Mr. KANTOR. It was one man definitely saying, "You son of a bitch."

Mr. GRIFFIN. That is your memory?

Mr. KANTOR. Yes.

Mr. GRIFFIN. Now, I think you also indicated that you heard somebody yell "Jack". Do you have any recollection of that now? Somebody saying "Jack".

Mr. KANTOR. I am not as positive about that.

Mr. GRIFFIN. All right.

Mr. KANTOR. Upon talking with Combest upstairs, he told me, he told two or three reporters there that that was what was said, and I used that in my story.

Mr. GRIFFIN. Now, tell us what you saw happen after you saw Ruby down on the floor.

Mr. KANTOR. Well, when the shot was fired, and I was still watching Oswald, and heard him groan, and slump—watched him slump. For no good reason at all, I moved in his direction. A man standing next to me from the Dallas Times Herald, a reporter, moved with me. There was a car located approximately right in front of us as we moved. Then we saw a detective come bounding over the roof of the car and onto the hood and landing here, just in front of this melee.

Mr. GRIFFIN. Where you marked the X on the map?

Mr. KANTOR. That is correct.

Mr. GRIFFIN. Who was that officer?

Mr. KANTOR. I believe it was Detective Captain Jones.

Mr. GRIFFIN. And then what did you see happen?

Mr. KANTOR. I became painfully aware as I moved into this area which was becoming very crowded and there was a lot of shoving and pushing going on—there was a man down on the pavement, and I could not see who it was. I heard one of the detectives, and I believe it was Captain Jones, holler up to a police officer standing here something to the effect that—shoot the first man who tries to move out, or something like that. And I saw this officer swivel around, pointing his revolver down into the ramp. And I became painfully aware that we were all going to get shot and killed in another moment or two, and I tried to back off this way. And the reporter from the Dallas Times Herald, Bob Fenley, knew one of the detectives in this area, as Ruby was being dragged off towards the jail office. The detective was weeping, for one reason or another. And we were being pushed back. However, Fenley crouched down low and moved towards his friend and asked him a question, and came back and said to me very clearly, "The man who shot Oswald is named Jack Ruby." And I was surprised that Bob apparently didn't know Jack Ruby, because I thought everybody on the paper knew Jack.

Mr. GRIFFIN. What did you do at that point?

Mr. KANTOR. I was mightily surprised and could not believe what I had heard for a moment. And then I asked Bob if he knew Jack, and he said no. I felt that—I guess my inclinations were as a newspaperman, and I felt I wanted to get to Ruby as fast as possible and question him. And I tried to get through to the jail office area, but there was no chance. We were held there until Oswald was placed in the ambulance right in front of where we were standing, and taken out. Then we were allowed to proceed up to the third floor, and there we waited for close to 2 hours outside of Curry's office without any word of any sort.

Mr. GRIFFIN. Did you interview anybody in the 2 hours that you were standing outside of Curry's office?

Mr. KANTOR. Yes; I spoke to Billy Combest.

Mr. GRIFFIN. Anybody else?

Mr. KANTOR. I spoke to another police officer—I don't recall his name—who had been down there.

Mr. GRIFFIN. Did you hear any rumors while you were standing outside of Curry's office as to how Ruby had gotten into the basement?

Mr. KANTOR. No; there was no speculation. I do recall some conversation among reporters who had seen him on Friday night at the assembly room, when I had not seen him. And I was surprised to learn that Ruby had been there at all.

Mr. GRIFFIN. Did you remember the names of the reporters you talked to who saw him in the assembly room Friday night?

Mr. KANTOR. Well, there was one reporter in particular whose name I have in my notes at home. He was a radio reporter from New York City. I am afraid that I just cannot recall his name at this moment.

Mr. GRIFFIN. You have indicated that you do have some notes at home. Have you retained all or substantially all of your notes from the 3 days that you were in Dallas?

Mr. KANTOR. I have kept all my written notes, and then everything was so vivid when I returned that within about 3 weeks or so after I was back I got a tape recorder and talked about 10,000 words into it, which I had not written down, and which I then transcribed by typewriter, and I have those, too.

Mr. GRIFFIN. Do your notes reflect your activities at Parkland Hospital?

Mr. KANTOR. Yes.

Mr. GRIFFIN. Do they show any times?

Mr. KANTOR. I believe they do.

Mr. GRIFFIN. Now, do your notes reflect your interview with Billy Combest?

Mr. KANTOR. I believe that my handwritten notes would show that I talked to Jack Combest, after the shooting of Oswald.

Mr. GRIFFIN. Would they show what Combest said?

Mr. KANTOR. Yes; I believe so.

Mr. GRIFFIN. Would they reflect—

Mr. KANTOR. I am not sure about the detail. It may have been just a few words.

Mr. GRIFFIN. I also understand that you interviewed George Senator on November 24, is that right?

Mr. KANTOR. No; I was about to mention that while we were waiting for Chief Curry to come out of his office, a man arrived just outside the third floor elevator with—I am sorry, I am really going blank on names—with the entertainment columnist for the Dallas Morning News.

Mr. GRIFFIN. Is that Tony Zoppi?

Mr. KANTOR. Tony Zoppi—thank you. That is right. And then the first reaction was sort of one of amusement because Zoppi looked like an entrepreneur of a new event. And I went over. However, there was a large circle of people around George Senator, and I listened to what I could hear, and then moved back to my place which happened to be first in line outside the chief's office, and I didn't want to give that up.

Mr. GRIFFIN. How long did you listen to Senator?

Mr. KANTOR. Perhaps 3 or 4 minutes. But I got there right at the tail end, because a couple of plainclothes officers came out and removed Senator, and insisted that he should not be talking to the press.

Mr. GRIFFIN. Do you remember anybody else you interviewed on the 24th?

Mr. KANTOR. Zoppi came out with a pool report on Jack Ruby's sister, which a number of reporters listened to and took notes on.

Mr. GRIFFIN. So you were actually interviewing Zoppi at that point?

Mr. KANTOR. That is strictly what it amounted to. I spoke to Captain Will Fritz. I spoke to Captain Glen King. But I might add that from the moment that Oswald was shot, we were really cut off. We were getting no more news—whereas we had gotten from our standpoint marvelous cooperation before—we were finding out nothing all of a sudden.

Mr. GRIFFIN. What did you hear Senator say in the few minutes that you did listen to him?

Mr. KANTOR. I heard George Senator say that Jack Ruby had been upset, very much upset, and had gotten up, I believe, rather late Sunday morning and said that he was going to take one of his dogs down to the club. And I heard him say that he had—that Jack Ruby had placed a call to a brother in Detroit. And I remember Senator stressing quite heavily that Ruby had spent the weekend in an upset condition, had cried, had wept quite a bit. I did ask Senator, only because I think I missed the opening parts of the mass interview going on out there in the hall—I asked him how long he had roomed with Ruby, a couple of particulars like that, I think—just basic stuff. What he did for a living.

Mr. GRIFFIN. Now—

Mr. KANTOR. I had never heard of him before.

Mr. GRIFFIN. I want to go back a bit. About what time did you arrive in the jail basement on Sunday, the 24th?

Mr. KANTOR. The transferral, as we understood it, was supposed to be made at 10 o'clock. And I got up leisurely and was staying at the White Plaza Hotel across the street, and made no effort to be there promptly at 10 o'clock. The reason I did that is because Scripps-Howard wire to its newspaper operates at night, and a morning event in itself is not too awfully important.

Mr. GRIFFIN. How long were you there before the shooting took place?

Mr. KANTOR. I got there about approximately a quarter to 11. I was checked three times for identification upon getting down to the basement.

Mr. GRIFFIN. When you went down to the basement, did you remain the entire time in that position "K" that you have marked there?

Mr. KANTOR. No.

Mr. GRIFFIN. Where were you when you first went into the basement?

Mr. KANTOR. The regular bank of elevators, that is those going upstairs—

Mr. GRIFFIN. On the Harwood side?

Mr. KANTOR. Yes; are about here, are they not?

Mr. GRIFFIN. Yes; the reporter, of course, can't tell, but just let's refer to them as the Harwood elevators.

Mr. KANTOR. Well, I walked into the building and went up to the third floor first, and then rode the elevator down to the basement—that is the regular elevator. When I stepped out of the elevator, I was stopped almost immediately by an officer, and he would not accept my credentials at all, even though I had a White House card and my old Dallas police card, Texas State Police card.

Some detective, I don't know who, came over and looked at my credentials and said that they were okay. And I went into the jail office, and took up a position along the west wall. There is a counter—there was a counter opposite me on which a camera was set up, as I recall, and there were a handful of other reporters in there. And Captain Jones at about 11:15 walked in briskly and said that we all would have to leave.

Mr. GRIFFIN. Then where did you go?

Mr. KANTOR. Fenley and I were together, and I told Fenley to delay leaving as long as possible because it appeared that they were ready to move Oswald, and maybe if we tarried long enough, we could still be in there. But it didn't work. And though we moved slowly—we moved down the line of people who were along here, and took up a position about here.

Mr. GRIFFIN. Now, why don't you mark a "1" there at your first position.

Mr. KANTOR. All right.

Mr. GRIFFIN. And how long did you remain at position 1?

Mr. KANTOR. We just walked into that position and they pulled out a couple of police cars, one of which was directly behind where I was standing, and, therefore, causing me to move over here, where it was rather crowded, along the post.

Mr. GRIFFIN. Where did those police cars go that they moved out?

Mr. KANTOR. Well, as I recall—there may have been three, but I am not sure—one went to the Commerce Street ramp side and one pulled in front of us facing Main Street.

Mr. GRIFFIN. Now, that car that was facing Main Street, did it stop, or did you see it go up the Main Street ramp, or what, or don't you remember?

Mr. KANTOR. Well, I don't remember how many cars were involved. There was a car which pulled out and stopped directly in front of us.

Mr. GRIFFIN. Do you recall a car driving up the Main Street ramp?

Mr. KANTOR. I don't now; no.

Mr. GRIFFIN. How long were you in the police building on Friday night?

Mr. KANTOR. Until approximately 2:30 in the morning.

Mr. GRIFFIN. And what time did you arrive that evening or afternoon?

Mr. KANTOR. I went directly from Love Field after the President's plane took off, and got there about 4 o'clock.

Mr. GRIFFIN. And did you remain there continuously, from 4 until 2:30?

Mr. KANTOR. Without a break.

Mr. GRIFFIN. And how much of that time was spent up on the third floor?

Mr. KANTOR. The entire time.

Mr. GRIFFIN. Did you attend the press conference Henry Wade had with Chief Curry in the assembly room?

Mr. KANTOR. I am sorry. I did go down there after midnight.

Mr. GRIFFIN. Now, do you have notes of that press conference?

Mr. KANTOR. No; I had a lot of trouble hearing, first of all—a lot of trouble hearing Oswald. I picked up a couple of words he was muttering. I was standing on a table about halfway back in the room. And then immediately following that, I guess Henry Wade had a conference. Is that what you are referring to?

Mr. GRIFFIN. Yes.

Mr. KANTOR. I don't know—I guess I have got a couple of notes on it. I don't know how extensive.

Mr. GRIFFIN. During the period you were in the city hall or the police department building on Friday night, did you see Jack Ruby?

Mr. KANTOR. Never.

Mr. GRIFFIN. Now, were you in the police department building on Saturday?

Mr. KANTOR. Yes.

Mr. GRIFFIN. For what period were you in there on Saturday?

Mr. KANTOR. I was in the building between 10 a.m., and about 9:15 p.m., or perhaps a little bit later in the evening. However, I did leave the building a couple of times to go across the street for food.

Mr. GRIFFIN. Do you remember seeing Jack Ruby at all on Saturday?

Mr. KANTOR. No; I did not see him.

Mr. GRIFFIN. Mr. Hubert, do you have any questions you would like to ask?

Mr. HUBERT. I think you better clarify about the second automobile that pulled up. I got the impression, as you testified, that the front of the second car was headed toward Main Street. Is that correct?

Mr. KANTOR. Yes, sir; to the best of my recollection it was, because I had explained to Mr. Griffin that I remember an officer coming over the top of the car and bounding down to the hood and then off.

Mr. HUBERT. But the first car that pulled up headed toward Commerce Street?

Mr. KANTOR. Well, I wish I could be certain about it, but I am not sure of the order. I was mostly aware at that moment that it was apparent that Oswald was about to be moved, and that I was being shoved a little bit to make room for these cars to get out, and that I wanted a good vantage point. And I think that was my chief concern.

Mr. HUBERT. You mentioned that you were in the assembly room at the time Oswald was brought down to see the press, and that you were standing on a table. I think, at the rear, and that you did not see Ruby in that room at all.

Mr. KANTOR. I did not.

Mr. HUBERT. Did you hear anyone make any comment to Wade concerning the Fair Play for Cuba Committee, or correct a statement that Wade made in connection with the Fair Play for Cuba Committee? Well, let me put it this way: Did you hear Wade make any comment with respect to a Cuban committee at all?

Mr. KANTOR. I believe that there was. I don't think I took notes on this. Our Latin American correspondent called from Miami early in the evening and had talked about this matter to me. I do vaguely recall some conversation involving Henry Wade on that matter, and I don't think—

Mr. HUBERT. Do you have any recollection at present that Henry Wade made a comment about some Cuban committee?

Mr. KANTOR. I don't remember whether he was asked specifically about this, or whether he brought it up. But I do vaguely recall there was some conversation about it.

Mr. HUBERT. All right. Then did you hear someone correct his designation or, rather, the name of the committee?

Mr. KANTOR. It almost seems as though I did. I could not swear to it.

Mr. HUBERT. How many people were in that room?

Mr. KANTOR. It was very crowded. I would estimate about 60, perhaps.

Mr. HUBERT. And how large was the room?

Mr. KANTOR. I would say about 25 or 30 yards long, and about 10 to 12 yards wide, something like that.

Mr. HUBERT. Were you at the back of the room?

Mr. KANTOR. I was in approximately the middle of the room, standing on a table, which did put me in a position of being more to the rear of the group.

Mr. HUBERT. Did you see anyone else standing on a table?

Mr. KANTOR. Yes, sir; quite a few were standing on tables. Photographers took up choice positions immediately in front of Oswald, as he was led in. In order both to hear and see I think the majority of people were standing on tables.

Mr. HUBERT. I have no further questions.

Mr. GRIFFIN. When did you first report to your newspaper that you had seen Ruby at Parkland Hospital?

Mr. KANTOR. Again, I telephoned Charles Egger at about 1:30 Sunday afternoon, told him that I was well acquainted with Jack Ruby, and had seen him at the hospital. He said, "That sounds like a pretty good story for tomorrow." I waited until sometime during the evening to write it simply because we didn't know what was going to happen next.

Mr. GRIFFIN. Did you notify any police department officials that you had seen him at Parkland Hospital?

Mr. KANTOR. No; as a matter of fact, I wrote it in my story, and never said a word to anybody beyond that.

An FBI man asked me about it about 5 days later.

Mr. GRIFFIN. Now, Mr. Kantor, would you look over the two diagrams we have been talking about, Exhibit No. 1 and Exhibit No. 2, and if those are correct in terms of what we have been talking about, would you sign them?

Mr. KANTOR. Yes; I would be happy to.

Mr. GRIFFIN. And please date it, also.

Mr. KANTOR. Surely.

Mr. GRIFFIN. Let the record reflect that Mr. Kantor has signed Deposition Exhibits Nos. 1 and 2 and dated them.

The taking of the deposition is recessed until a time tomorrow afternoon to be arranged to suit the convenience of Mr. Kantor.

TESTIMONY OF SETH KANTOR RESUMED

The testimony of Seth Kantor was taken at 5:10 p.m., on June 3, 1964, at 200 Maryland Avenue NE., Washington, D.C., by Messrs. Burt W. Griffin and Leon D. Hubert, Jr., assistant counsel of the President's Commission.

Mr. GRIFFIN. At the outset let me ask you if it is agreeable with you that the oath and the formalities which we went through originally yesterday will continue to prevail at this point in the deposition, that you understand it is a continuation.

Mr. KANTOR. I understand I am still under oath.

Mr. GRIFFIN. All right, fine. When we recessed yesterday we had asked you to check on certain notes and documents. I want to ask you before we get into that, however, one final question in respect to what we did cover yesterday, and I want to ask you to search your mind and tell us what doubts, if you have any, that you might have that the man who you have identified as Jack Ruby, Parkland Hospital on November 22 was indeed Jack Ruby.

Mr. KANTOR. Well, I would like to say that a little more than 6 months have passed and I think I have doubted almost anything in searching my memory which has happened over a period of 6 months or more in my lifetime. I think if you think about something a good deal you wonder whether it actually happened.

However, I was indelibly sure at the time and have continued to be so that the man who stopped me and with whom I talked was Jack Ruby. I feel strongly about it because I had known Jack Ruby and he did call me by my first name as he came up behind me, and at that moment under the circumstances it was a fairly normal conversation.

Mr. GRIFFIN. Were there any acquaintances that you had in Dallas while you were there, who you in the past had mistaken for Jack Ruby? Have you ever had the experience of seeing somebody else and mistaking him for Jack Ruby?

Mr. KANTOR. I see what you mean. No; that never occurred at any time.

Mr. GRIFFIN. Did you know people in Dallas who ran some of the other nightclubs?

Mr. KANTOR. I had met Mr. Barney Weinstein who operates at least a couple of strip joints that I know of, and that was on one occasion when I was doing a story on a stripteaser named Candy Barr and that occasion was when I was going down to the State prison where she was living at the time to do a story on her for the paper and that was the only time I had met Mr. Weinstein.

However, there is a booking agent in Dallas whose nickname is Pappy. I have his name in my notes here somewhere.

Mr. GRIFFIN. Is that Pappy Dolson?

Mr. KANTOR. D-o-l-s-o-n, that is right. I had done a story on him, and he was well acquainted with Jack Ruby. I knew, and then I saw him while I remained in Dallas after the assassination, spoke to him and interviewed him for a story.

Mr. GRIFFIN. Do either Weinstein or Dolson bear any resemblance to Jack Ruby?

Mr. KANTOR. None. None, nothing that close that I would mistake them. Neither one, I don't believe, either, would stop me in the passageway of the hospital after I had been gone for a year and a half and call me by my first name, I don't think they would remember me that easily or have any special reason to call me by my first name.

Mr. GRIFFIN. Now, you have brought a series of papers and notebooks with you. Can you work from these one at a time, can you tell us what you have there?

Mr. KANTOR. Yes. Initially, I have the notebook I took down with me to Texas from Washington while accompanying the President, and in it are the notes of the trip.

Mr. GRIFFIN. Let me look at it a second.

Mr. KANTOR. Sure, I was just going to recommend you skip the first page. Those were notes I made on the plane going down. From then on anything you want to look at is fine.

Mr. GRIFFIN. The notebook that you handed me is a notebook that is a long stenographic type notebook. I would say it is 8 inches long and perhaps 3 to 4 inches wide.

Mr. KANTOR. It sounds reasonable, yes.

Mr. GRIFFIN. And it has the label "EFF-JAY Notebook" and it is put out by Fox-Jones Co., Washington 5, D.C., and No. 1419 and there is handwritten on the front of this in pencil "President Kennedy's Trip to Texas, November 21-22, 1963."

Does anything in this notebook pertain to your activities at Parkland Hospital?

Mr. KANTOR. Yes; several pages in there.

Mr. GRIFFIN. Could you indicate, can you find in here the pages that pertain to that Parkland Hospital episode?

Mr. KANTOR. I am going to have to apologize for the writing here. Among other things in addition to being a bad scribbler I did much of this on the run, these pages.

Mr. GRIFFIN. If you don't mind I would like to look at them and see again if I can ask some questions from them. Do the notes on the pages which you have separated here follow in chronological order? Is there any way you can tell from looking at these notes when, what time you would have put it down?

Mr. KANTOR. Pretty well.

Mr. GRIFFIN. Can you?

Mr. KANTOR. Yes.

Mr. GRIFFIN. All right. Can you tell us what portion of those notes you made before the actual press conference with Malcolm Kilduff, if any.

Mr. KANTOR. On this page there are written some idle notes as we moved from Love Field into the downtown area.

Mr. GRIFFIN. I am talking about notes made at Parkland Hospital.

Mr. KANTOR. Yes; and then starting here, these notes were made immediately outside the hospital as I stood outside talking with Senator Yarborough, and these—from this point on.

Mr. GRIFFIN. You are talking about the bottom of the page of the "Yarb" notes?

Mr. KANTOR. Correct. From that point on—the top of that page to the bottom of the following page I made no notes—which would be approximately a half hour while I was on the telephone and talking in the hallway to the Texas Congressman.

Mr. GRIFFIN. The notes which start on the page which said "JFK died at approximately 1 p.m." Where was that notation made?

Mr. KANTOR. It was made in the makeshift pressroom of the second floor where Malcolm Kilduff led us.

Mr. GRIFFIN. So there is one page you refer to here which starts out, "Yarborough—third car back" and winds up with some notes at the bottom of page—which I won't attempt to read, not because your writing is any worse than mine but just to save time here for the moment, those notes were all made before the press conference but were made at Parkland Hospital?

Mr. KANTOR. Yes, sir.

Mr. GRIFFIN. Now, do they—do all of these notes represent things which were told you while you were at Parkland Hospital or do they represent things that you might have learned even before arriving at Parkland Hospital?

Mr. KANTOR. No. I am reading this as you were talking, and everything here was gained in conversation with Senator Yarborough standing outside the emergency area of the hospital. That is true, that is right.

Mr. GRIFFIN. Having had a chance to look at those notes again and thinking about our conversation during the last couple of days—is there any indication from those notes that you knew or had a strong idea prior to the time Kilduff gave this press conference that President Kennedy was not going to survive?

Mr. KANTOR. No. I don't know whether it was a matter of not wanting to accept the strong possibility, but really until I went into the hospital and saw the priest in the hallway and the look on Lady Bird Johnson's face, I had no strong premonition about it.

Mr. GRIFFIN. But did you see the priest and Lady Bird Johnson before the press conference?

Mr. KANTOR. Yes; I did, while I was on the telephone talking to my office in Washington.

Mr. GRIFFIN. Right. By the time you got off the telephone what was your—and having seen Lady Bird Johnson and the priest and so forth?

Mr. KANTOR. I still didn't know that the President had been hit in the head, and when Congressman Thomas told me that a brain surgeon had been brought in, I knew then that he had been hit in the head but I didn't know until that point even where he had been hit.

Mr. GRIFFIN. Now, you have had a chance, I suppose, to talk with other newspaper people and other people who were present at Parkland Hospital since this event, have you not?

Mr. KANTOR. Not in depth. I have had some conversations with people who were there.

Mr. GRIFFIN. In your conversations with people who were there, have you gained any information that those who were in the area around Parkland Hospital attentive to what might be going on, had an idea or believed that the President was dead before the announcement was made by Mr. Kilduff?

Mr. KANTOR. Well, I am sure I have not asked anybody outside of a couple of Congressmen I have talked to since then who were a lot closer to the situation than I obviously was at that time, and they really knew what was going on. And I haven't asked anyone, I guess I felt no reason to ask and I don't recall anyone volunteering that they specifically believed the President was moribund.

Mr. GRIFFIN. I don't want to push you into saying something—

Mr. KANTOR. I am not aware of that.

Mr. GRIFFIN. Now, do your notes here—do you have any notes here which reflect your observations in the Dallas Police Department from the time you arrived there until the time you left Dallas?

Mr. KANTOR. Yes; I do.

Mr. GRIFFIN. Can you show us in here where those notes are?

Mr. KANTOR. Yes. Just any and all in the police station?

Mr. GRIFFIN. Yes.

Mr. KANTOR. Right. Where you have placed the marker here is the extent of notes taken in the police station between Friday afternoon, November 22 and Sunday evening, November 24.

Mr. GRIFFIN. Let me ask a few questions about the notes. I notice that you have made the notation and I will read it, "Ruby asked question Friday night at press conference." Do you remember making that notation?

Mr. KANTOR. Yes; I do.

Mr. GRIFFIN. Do you remember who told you that or how you came to learn that?

Mr. KANTOR. Yes. I mentioned yesterday that there was a radio reporter from New York City whose name escaped me and I believe I——

Mr. GRIFFIN. Do you have that name now?

Mr. KANTOR. I believe I have it in my notes.

Mr. GRIFFIN. All right.

Mr. KANTOR. The name of the reporter as I have it in here in these notes is Ike Pappas. And—do you want me to read to you what I have here?

Mr. GRIFFIN. If that is the most accurate thing you can give us.

Mr. KANTOR. Yes. This is what I recalled from memory as soon as I got back from Dallas and read into the tape recorder and this is the way I wrote it down from that. This describes the meeting in the assembly room, in the police assembly room, shortly after Friday night going into Saturday.

"Sunday afternoon District Attorney Henry Wade was to say to the press that Jack Ruby was present Friday night during that strange press conference. I understand or I am told.

"A New York City radio reporter, Ike Pappas, corrected Henry and said that he, Pappas, had been talking with Ruby in the assembly room and Ruby had given him a card and had invited him to be his guest in the Carousel when it reopened. Pappas still carried the card in his wallet; said that he brought Ruby over to the District Attorney and that the D.A. seemed to know Mr. Ruby. Henry smiled but gave no answer, after first saying that Ruby was mistaken for being a reporter."

The time which I referred to here that Mr. Wade smiled was when Ike Pappas reminded Henry Wade on Sunday that he had talked to Ruby on Friday night.

Mr. GRIFFIN. Now, are you saying there that Pappas learned from Wade or that you learned from Wade that Ruby had interrupted him, interrupted Wade at the press conference?

Mr. KANTOR. It wasn't so much that I learned it. This was an announcement made by Wade Sunday afternoon or Sunday evening in that same police assembly room to a gathering of reporters among whom I was present in which he said that he understood that Ruby had been present Friday night, and then Ike Pappas said, "You know that he was present because the three of us were talking."

Mr. GRIFFIN. I see. What is the reference that you had in there. I thought I understood the reference in there that Ruby interrupted Wade at some point in the press conference. Is that written in there or did I hear it incorrectly?

Mr. KANTOR. I think that is something you asked me about yesterday, wasn't it, about an interruption of which I wasn't sure?

Mr. HUBERT. Yes.

Mr. GRIFFIN. Why don't we do this: I am going to mark the pages that we are going to photostat here with separate exhibit numbers on your book, and then, if I may, have these pages photostated, and give you the complete notebook back because we are going to take the full notebook. In other words, I would like to write down at the bottom of the page a number, if I could.

Mr. KANTOR. You mean you want to remove the page?

Mr. GRIFFIN. No; we are not going to remove the page, but I would like to put a notation on your notebook, with your permission.

Mr. KANTOR. All right; please go ahead.

Mr. GRIFFIN. I am going to mark the cover of this notebook in the following manner: "Seth Kantor, Deposition June 3, 1964, Exhibit No. 3."

(The document referred to was marked Seth Kantor Exhibit No. 3, June 3, 1964, for identification.)

Mr. KANTOR. May I say something off the record?

Mr. GRIFFIN. Sure.

(Discussion off the record.)

Mr. GRIFFIN. Then on the page "Yarb-third car back," I will cross out where I have written the identification in full and I will write "3-A," so that we are correct here. Does this page which I am pointing my finger to, is that a note that was taken at Parkland Hospital?

Mr. KANTOR. At approximately 1:30 during the afternoon.

Mr. GRIFFIN. If you would, could you find the first page in here that you believe was made at the Dallas Police Station?

I am going to mark these pages at the bottom, subletter "3-B," "3-C," et cetera, the ones he has identified as having been made at the Dallas Police Station, so that we will have subletters in here and in the record a list of the pages which Mr. Kantor indicates were made contemporaneously with his activities at the police station.

Mr. HUBERT. Is that correct, Mr. Kantor?

Mr. KANTOR. Correct.

Mr. HUBERT. And you have picked out the ones that fit the definition just given by Mr. Griffin?

Mr. KANTOR. Yes.

Mr. GRIFFIN. The last page is where I have put the paper clip.

Mr. HUBERT. We want all of them between the paper clips. I have marked all of the pages starting with 3-A, Mr. Kantor, and running through the alphabet and then starting another series of 3 using double A and double B and so forth through 3 double R, and I ask you if it is not a fact that all of these pages so marked are in your handwriting.

Mr. KANTOR. Yes; they are.

Mr. HUBERT. They were notes made by you contemporaneously with the events to which they relate?

Mr. KANTOR. Yes; they were made contemporaneously.

Mr. HUBERT. All right. We will have these photostated and give the book back to you.

Mr. KANTOR. All right.

(The documents referred to were marked Seth Kantor Exhibits Nos. 3-A through 3-RR for identification.)

Mr. HUBERT. Now, Mr. Kantor, you have handed me a series of papers which seem to be in order, that is to say, pages running from 1, I think, through 19.

Mr. KANTOR. Yes.

Mr. HUBERT. Which I am marking for identification on the first page by placing the following at the bottom: "Washington, D.C., June 3, 1964, Exhibit No. 4, Deposition of Seth Kantor," and I ask you what these documents purport to be.

(The document referred to was marked Seth Kantor Exhibit No. 4 for identification.)

Mr. KANTOR. These documents are notes which I made upon my return from Dallas after spending 16 days following the assassination of the President. They are notes which, by and large, I hadn't written down as events occurred but which I wanted to put down on paper while I still remembered everything in as great a detail as possible.

Mr. HUBERT. Were these notes which have been marked as Exhibit No. 4, made all at one time?

Mr. KANTOR. No; they were not. They were made over a 1-week period.

Mr. HUBERT. What period was that, in point of calendar date?

Mr. KANTOR. They were in December 1963.

Mr. HUBERT. They were made by you?

Mr. KANTOR. They were made by me.

Mr. HUBERT. How did you make them in fact?

Mr. KANTOR. I rented a tape recorder and spoke all of this into the tape

recorder and then played the tape recorder back and wrote it down by means of typewriter.

Mr. HUBERT. So that this typing on Exhibit No. 4 is actually your own typing?

Mr. KANTOR. It is my own typing.

Mr. HUBERT. It is not a stenographer or typist?

Mr. KANTOR. No, sir; it is mine.

Mr. HUBERT. And it came from the tape, and you dictated into the tape recorder over a week's time all of this material?

Mr. KANTOR. That is right.

Mr. HUBERT. All right, sir. Have you read this recently?

Mr. KANTOR. No.

Mr. HUBERT. But can you state to us that it represents your best recollection of what occurred?

Mr. KANTOR. It would be a better recollection than I could give you now on anything which transpired.

Mr. HUBERT. All right. With your permission, sir, then we will hold these, have them photostated, and return the originals to you.

Mr. KANTOR. Yes; that is all right.

Mr. HUBERT. Mr. Kantor, you have handed us a small Penway brand spiral-backed memo book in which there are 9 pages, each page, of course, having a front and a back, and I ask you whether the notes on those pages of this book that I have identified, and now further identify as Exhibit No. 5 of the deposition of Seth Kantor, June 3, 1964, if those notes are in your handwriting.

(The document referred to was marked Seth Kantor Exhibit No. 5 for identification.)

Mr. KANTOR. Yes; they are.

Mr. HUBERT. Were they made contemporaneously with the events to which they refer?

Mr. KANTOR. Yes; they were made contemporaneously with the events.

Mr. HUBERT. I think the record shows that it has been identified as Exhibit No. 5 of your deposition. And here, again, with reference to Exhibit No. 5, we will have photostats made of the back and front of all these pages, and then return the book to you.

I notice on the first page of Exhibit No. 5 that you have the name Mrs. Michael R. Paine. Does that indicate that there was an interview with her?

Mr. KANTOR. The interview took place at her residence on the outskirts of Dallas late in the afternoon on a Thursday, one week after Thanksgiving.

Mr. HUBERT. How many pages of Exhibit No. 5 relate to notes made of the interview of Mrs. Paine?

Mr. KANTOR. Twelve pages.

Mr. HUBERT. I think, with your permission, we ought to number these pages. I will start off by numbering the first page as it appears in the book as "1" on the bottom, and then the reverse of that "2", and I am putting these numerals in a circle, up to 12. I understand your testimony to be that the notes which appear on pages Exhibit No. 5 which have now been numbered 1 through 12 all relate to the interview of Mrs. Paine taken on the Thursday after Thanksgiving of 1963.

Mr. KANTOR. That is correct.

Mr. HUBERT. Now, I am marking the rest of the pages as follows, by putting the numbers in a circle at the bottom, beginning with 13 up to and including 17 and ask you the relationship of those notes or those pages to any particular event.

Mr. KANTOR. They relate to notes, they are notes, that I made regarding Mrs. Tippit, the wife of the police officer in Dallas who was slain.

Mr. HUBERT. When were those notes made?

Mr. KANTOR. They were made the day after I spoke with Mrs. Paine, Friday.

Mr. HUBERT. Friday of what—

Mr. KANTOR. This would be eight days after Thanksgiving, yes. I believe it was December 6th.

Mr. HUBERT. I show you a calendar of 1963 and ask you if it is not a fact that Thanksgiving was on the 28th of November, that Thursday after Thanks-

giving would have been December 5th, and the day after that would have been December 6th.

Mr. KANTOR. That is correct, yes.

Mr. HUBERT. Now, you have just referred to notes appearing on pages 12 through——

Mr. KANTOR. It is notes on pages 13 through 17.

Mr. HUBERT. 13 through 17. Are there any other notes in the book?

Mr. KANTOR. No; none.

Mr. GRIFFIN. Now, why don't you go ahead and read those interview reports that you have in your hands right now and then we can talk about them.

Mr. HUBERT. Let the record show I am placing my initials on the lower right-hand corner of the second and subsequent pages of Exhibit 4.

Let the record show, also, that I have placed my initials on the inside cover of Exhibit No. 5 and at the bottom of each page of Exhibit No. 5.

Let the record also show that I am placing my initials on each of the pages of Exhibit No. 3 at the bottom, Exhibit No. 3 consisting of a series of pages numbering 3-A through the alphabet and again until 3-RR.

Mr. GRIFFIN. I am going to hand you, Mr. Kantor, what has been marked for purposes of identification as "Washington, D.C., Seth Kantor Deposition, June 3, 1964, Exhibit No. 6."

(The document referred to was marked Seth Kantor Exhibit No. 6 for identification.)

Mr. GRIFFIN. This purports to be a copy of a report prepared by FBI Agent Vincent E. Drain, of an interview he conducted with you on December 3, 1963, in Dallas. I will hand it to you and ask you if you have had a chance to read it and whether you have any additions or corrections that you would make to that report from the standpoint of accuracy of the report.

Mr. KANTOR. No; it is complete, to the best of my knowledge.

Mr. GRIFFIN. I am also going to hand you what has been marked as "Exhibit No. 7, Washington, D.C., Seth Kantor Deposition, June 3, 1964."

(The document referred to was marked Seth Kantor Exhibit No. 7 for identification.)

Mr. GRIFFIN. This purports to be a copy of an interview report prepared by Mr. Drain in connection with an interview conducted with you in Dallas also on December 3.

Have you had a chance to read this report?

Mr. KANTOR. Yes; I have just looked it over, and it is, to the best of my knowledge, accurate.

Mr. GRIFFIN. I am going to mark another document as "Exhibit No. 8, Washington, D.C., June 3, 1964, Seth Kantor Deposition."

(The document referred to was marked Seth Kantor Exhibit No. 8 for identification.)

Mr. GRIFFIN. This document purports to be a copy of an interview report prepared by Special Agents Kaiser and Miller, of the Federal Bureau of Investigation, the interview taking place with you on January 2, 1964 here in Washington. Have you had a chance to look that over?

Mr. KANTOR. Yes; I have.

Mr. GRIFFIN. Are there any chances that you would make in that?

Mr. KANTOR. There was something I thought I saw in here.

Mr. GRIFFIN. Take your time.

Mr. KANTOR. All right.

Mr. GRIFFIN. Meanwhile, for the record, that Exhibit No. 7 is a document which consists of 5 pages and it is numbered consecutively at the bottom 431 through pages 435.

Mr. KANTOR. I have seen something in here which made me think of a letter I have received since the occasion of this interview with the FBI.

Mr. GRIFFIN. Go ahead and tell us about it.

Mr. KANTOR. The letter was from Jack Ruby, from the county jail in Dallas. I wrote him approximately at the end of January from my office, on Scripps-Howard stationery, telling him that I had made a couple of attempts to see him in Dallas, both in the city jail and in the county jail, and had failed, and asked him if I could ask him some questions. A letter postmarked Feb-

ruary 2, I believe it was, in San Francisco, was received by me then from Melvin Belli, who was Ruby's attorney at the time, thanking me for writing to Jack and saying that he had told Jack to forward on any mail that came from reporters, and that Jack had done the right thing and that he was sure—he being Belli—that I would understand that Ruby could not comment before the trial.

Then I received a letter postmarked the next day which would have been February 3d, from Ruby, from his Dallas county jail cell, telling me he had forwarded on my letter to Belli and apologizing for having done so but he was told to do that. And in the letter he made an offhanded personal remark that he had liked to follow my stories in the Fort Worth Press, which is a Scripps-Howard paper, and was in hopes of seeing me again.

Mr. GRIFFIN. Had you in your letter to Ruby made any reference to the fact that you had seen him at Parkland Hospital on the 22d?

Mr. KANTOR. No; I did not.

Mr. GRIFFIN. Did Belli in his letter to you make any reference to your newspaper article?

Mr. KANTOR. No; he did not.

Mr. GRIFFIN. I take it Ruby didn't make any reference to it to you in his letter?

Mr. KANTOR. No; he did not, and one of the factors prompting my letter to him was this interview with the two FBI agents here in Washington, because one of them had told me that the FBI talked to Ruby in his jail cell and he had denied being in the hospital on the afternoon of November 22d. This is really what I was angling for, although I didn't want to write that question directly to Jack Ruby.

Mr. HUBERT. Is it not a fact that in the story that you had seen Jack at the Parkland Hospital, had been made public before you wrote to Jack Ruby, I think you said on February——

Mr. KANTOR. Late in January.

Mr. HUBERT. Late in January?

Mr. KANTOR. Yes.

Mr. HUBERT. That story had been in the press for some considerable time, isn't that correct?

Mr. KANTOR. It appeared in the press the day after Ruby killed Oswald.

Mr. HUBERT. All right. I think the record should show that Exhibit No. 8 consists of 4 pages, numbered in sequence 163 through 167.

Mr. GRIFFIN. I want to ask you at least one question in connection with these interviews generally. Did the FBI agent who originally interviewed you on December 3 tell you how he happened to come to interview you?

Mr. KANTOR. He had learned about my statement of Ruby being in the hospital through reading my story or through hearing about the story.

Mr. GRIFFIN. Now, is this something that he told you or is this an inference that you have drawn?

Mr. KANTOR. No; he told me that. I know the agent in question, Vince Drain.

Mr. GRIFFIN. I believe you told us yesterday that you were the only Scripps-Howard reporter at Parkland Hospital at the time that you saw Ruby and made the phone calls.

Mr. KANTOR. Yes.

Mr. GRIFFIN. Now, how many other Scripps-Howard reporters were there with the White House entourage that originally went down to Dallas?

Mr. KANTOR. There was none besides myself.

Mr. GRIFFIN. How many Scripps-Howard reporters who reported back to the Washington office ultimately were in Dallas on the 22d, 23d, and 24th?

Mr. KANTOR. There was none besides myself.

Mr. GRIFFIN. So the only—you were the only representative of the Scripps-Howard chain as an entity?

Mr. KANTOR. Yes.

Mr. GRIFFIN. And any other reporters who may have been connected with Scripps-Howard there were from newspapers affiliated with the Scripps-Howard chain?

Mr. KANTOR. Yes; that is right. Yes.

Mr. GRIFFIN. What kind of coverage or distribution were the stories that you wrote on the 22d and 23d given by the Scripps-Howard chain?

Mr. KANTOR. They were widely used, I believe; virtually every paper in the chain used the stories.

Mr. GRIFFIN. Do you have any questions, Mr. Hubert?

Mr. HUBERT. No.

Mr. GRIFFIN. I have none. Do you have anything further that you would want to say?

Mr. KANTOR. Nothing further.

Mr. GRIFFIN. Thank you very much.

Mr. HUBERT. We will have those photostated and if you could call in some time tomorrow we will see if we can't arrange to get them to you, or mail them, or do something.

Mr. KANTOR. If you don't mind, I would like to pick them up, but wonder if I could pick them up Friday.

TESTIMONY OF WILLIAM D. CROWE, JR.

The testimony of William D. Crowe, Jr., was taken at 2:30 p.m., on June 2, 1964, at 200 Maryland Avenue NE., Washington, D.C., by Messrs. Leon D. Hubert, Jr., and Burt W. Griffin, assistant counsel of the President's Commission.

Mr. HUBERT. This is a deposition of Mr. William D. Crowe, Jr., who also uses the professional or stage name of Bill DeMar.

Mr. Crowe, my name is Leon D. Hubert and I am a member of the advisory staff of the general counsel on the President's Commission under the provisions of Executive Order 11130 issued by President Johnson on November 29, 1963, the joint resolution of Congress No. 137, and the rules and procedure adopted by the President's Commission in conformance with that Executive order and that joint resolution, I have been authorized to take a sworn deposition from you.

I state to you now that the general nature of the Commission's inquiry is to ascertain, evaluate, and report upon the facts relevant to the assassination of President Kennedy, and the subsequent violent death of Lee Harvey Oswald. In particular as to you, Mr. Crowe, the nature of the inquiry is to determine what facts you know about the death of Oswald or the relationship that there might have been between Oswald and Ruby and any other pertinent facts that you may know about the general inquiry. Now, Mr. Crowe, you appear today, I believe, by virtue of a letter addressed to you by Mr. J. Lee Rankin, general counsel of the staff of the President's Commission, is that correct?

Mr. CROWE. Yes.

Mr. HUBERT. When did you receive it?

Mr. CROWE. Friday; Friday, I guess.

Mr. HUBERT. That would have been the 29th of May, is that correct?

Mr. CROWE. Yes.

Mr. HUBERT. I notice you are looking at an envelope. Is that the envelope?

Mr. CROWE. Yes.

Mr. HUBERT. That it came in?

Mr. CROWE. Yes.

Mr. HUBERT. What is the post date on it?

Mr. CROWE. That is what I am looking for. It has no post date. The thing is blank.

Mr. HUBERT. What is the date of the letter itself?

Mr. CROWE. May 28; so it must have been the 29th.

Mr. HUBERT. You think you received it on the 29th, last Friday. Is that correct?

Mr. CROWE. Right.

Mr. HUBERT. All right. Now would you please stand, sir, so I may administer the oath. Raise your right hand. Do you solemnly swear that the testimony

you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. CROWE. I do.

Mr. HUBERT. Will you state your name for the record, please, sir?

Mr. CROWE. William D. Crowe, Jr.

Mr. HUBERT. Mr. Crowe, I understand that you also have a stage or professional name that you have been using for some time and still do use, is that correct?

Mr. CROWE. Right.

Mr. HUBERT. What is that name?

Mr. CROWE. Bill DeMar.

Mr. HUBERT. Now, you have never actually legally changed your name from William Crowe to Bill DeMar, have you?

Mr. CROWE. No.

Mr. HUBERT. And by legally changed your name, I mean a court proceeding to change your name officially from Crowe to DeMar?

Mr. CROWE. No.

Mr. HUBERT. This is purely a stage name?

Mr. CROWE. Right.

Mr. HUBERT. Where do you reside, Mr. DeMar?

Mr. CROWE. Right now at 90 West 34th Street, Bayonne, N.J.

Mr. HUBERT. How old are you, sir?

Mr. CROWE. Thirty-two.

Mr. HUBERT. Are you married?

Mr. CROWE. No.

Mr. HUBERT. Have you ever been married?

Mr. CROWE. Yes.

Mr. HUBERT. Are you divorced?

Mr. CROWE. Right.

Mr. HUBERT. Do you mind stating for the record who you were married to and when, and the date of the divorce?

Mr. CROWE. Her maiden name was Golden Thompson.

Mr. HUBERT. T-h-o-m-p-s-o-n; is that correct?

Mr. CROWE. Yes.

Mr. HUBERT. When did you marry this lady?

Mr. CROWE. November 22, 1959, I think.

Mr. HUBERT. And where were you married?

Mr. CROWE. In Evansville, Ind.

Mr. HUBERT. Evansville. Is your——

Mr. CROWE. Home town.

Mr. HUBERT. That is where you were born and educated and reared, is that correct?

Mr. CROWE. That is correct.

Mr. HUBERT. When were you divorced?

Mr. CROWE. Around, I think it was around, February of 1962.

Mr. HUBERT. And where?

Mr. CROWE. In Evansville, Ind.

Mr. HUBERT. Have you been married to anyone other than this lady?

Mr. CROWE. No.

Mr. HUBERT. Do you have any children?

Mr. CROWE. One.

Mr. HUBERT. What is the name of that child and how old is he?

Mr. CROWE. William D. Crowe, the 3d, and he is four and a half approximately.

Mr. HUBERT. Has your wife remarried?

Mr. CROWE. Yes; she has.

Mr. HUBERT. Do you know the name of her husband?

Mr. CROWE. Larry Kuence.

Mr. HUBERT. Where do they live?

Mr. CROWE. In Evansville, I don't know the address for sure, on the north side some place.

Mr. HUBERT. What is your occupation, sir?

Mr. CROWE. Entertainer.

Mr. HUBERT. How long have you been in that line of endeavor?

Mr. CROWE. Off and on for 15 years.

Mr. HUBERT. I think you said you were 32.

Mr. CROWE. Right.

Mr. HUBERT. So you have been in the entertainment field since you were 17 years old?

Mr. CROWE. Right.

Mr. HUBERT. What educational background do you have?

Mr. CROWE. High school graduate.

Mr. HUBERT. And immediately after leaving high school, I suppose you got into the entertainment business?

Mr. CROWE. No; well, yes. I started during right before the senior year, and then I went into the service for 3 years after high school.

Mr. HUBERT. I see.

Mr. CROWE. In 1951.

Mr. HUBERT. So it was after you left the service that you entered the entertainment field?

Mr. CROWE. I continued with the entertainment field. I did it while I was in the service also.

Mr. HUBERT. You did it there also; I see. Have you ever had a partner in any of your acts or entertainment endeavors?

Mr. CROWE. No; not really.

Mr. HUBERT. Can you give us by way of description what sort of entertainment act you have done in the past?

Mr. CROWE. Primarily a ventriloquist; also do a little standup comedy, impressions.

Mr. HUBERT. Can you name for the record some of the places that you have played in—is that the professional term—or appeared in?

Mr. CROWE. Well, I have been over a great part of most of the United States and around Germany, and Western Canada and Eastern Canada. Like the T-Bone Supper Club in Wichita. Let's see, the Larue Supper Club in Indianapolis, the Orchid Club in Tulsa. Club dates in Seattle, Washington, Atlanta, Georgia, New York.

Mr. HUBERT. Well, I suppose that you have an agent, don't you, who does your booking for you?

Mr. CROWE. Several agents. Depending on what part of the country.

Mr. HUBERT. You are also a member of the——

Mr. CROWE. American Guild of Variety Artists.

Mr. HUBERT. I suppose they have a record actually of every show or place that you have been don't they?

Mr. CROWE. I would imagine possibly they do.

Mr. HUBERT. Now, have you developed any particular specialty of late?

Mr. CROWE. Well, I have several gimmicks, I call them, that I feature in my vent act. That would be about all.

Mr. HUBERT. Now, I think you were playing at the Carousel Club in Dallas shortly before the death of President Kennedy, isn't that correct?

Mr. CROWE. Right.

Mr. HUBERT. Had you ever been there before?

Mr. CROWE. Three times before.

Mr. HUBERT. You have. Would you state the times that you have been there, just roughly the approximate times, and the approximate length of each stay?

Mr. CROWE. Let's see, about April of 1962 I was there for 2 weeks, and then I was gone for about 7 weeks, came back for 3 weeks, and was out for maybe a month. Came back for 4 weeks, was gone for about a year, and 2 months, and came back for 6 weeks.

Mr. HUBERT. When did you come back to the Carousel the last time?

Mr. CROWE. About the 1st of November.

Mr. HUBERT. Was that booking done by yourself or some agent of yours?

Mr. CROWE. Well, it was more by myself but it was a club that belonged to an agent of mine so I paid him a commission to keep on the interest.

Mr. HUBERT. When you say the club belonged to an agent of yours you don't mean that he owned the club?

Mr. CROWE. No; the agent booked it.

Mr. HUBERT. He owned the right to book you there, is that it?

Mr. CROWE. Right.

Mr. HUBERT. So you paid him a normal fee for booking at that place even though you arranged to go yourself?

Mr. CROWE. Between Jack Ruby and myself, yes.

Mr. HUBERT. Was there any particular reason why you wanted to go back to Jack Ruby's club?

Mr. CROWE. I didn't, but Jack can be pretty persuasive at times, and because I had been there so many times before, and the agent said that I would possibly go up to Kansas City but it wouldn't be for a week or more.

Mr. HUBERT. Who was that agent?

Mr. CROWE. Wayne Keller in St. Louis.

Mr. HUBERT. Where is he located?

Mr. CROWE. St. Louis.

Mr. HUBERT. Go ahead.

Mr. CROWE. A week's out of work you know, is a couple of hundred dollars, so—

Mr. HUBERT. Where were you at the time that he advised you of that?

Mr. CROWE. At the T-Bone in Wichita.

Mr. HUBERT. All right. So when he told you that he had another booking for you elsewhere, but it would be a week, what happened next?

Mr. CROWE. I told Jack I would go ahead and come down to his place.

Mr. HUBERT. Jack had contacted you at the T-Bone?

Mr. CROWE. He had called me at the T-Bone.

Mr. HUBERT. How long before? How long before you actually went to Jack's Carousel Club had he called you inviting you to come?

Mr. CROWE. Four days.

Mr. HUBERT. Was it arranged then as to how long your booking would be there?

Mr. CROWE. No; nothing definite. I said 4 or 5 weeks.

Mr. HUBERT. You had no written contract, did you?

Mr. CROWE. I don't recall whether I wrote the contract before I went down or after I got there.

Mr. HUBERT. But there was a written contract?

Mr. CROWE. There was a contract, yes, sir.

Mr. HUBERT. Who would have a copy of that? Would you?

Mr. CROWE. I would have a copy of it.

Mr. HUBERT. Do you have it in fact?

Mr. CROWE. Yes; but not on me.

Mr. HUBERT. I suppose it is a standard contract?

Mr. CROWE. Standard AGVA.

Mr. HUBERT. What is it?

Mr. CROWE. American Guild of Variety Artists.

Mr. HUBERT. What was the word you used?

Mr. CROWE. Standard AGVA.

Mr. HUBERT. Standard AGVA form. What was the agreed price?

Mr. CROWE. \$182.50.

Mr. HUBERT. Per week?

Mr. CROWE. Yes.

Mr. HUBERT. When did you begin?

Mr. CROWE. It was about 2 weeks before that eventful weekend. That was on the 22d.

Mr. HUBERT. Do you remember the day of the week that you began. Perhaps it would help you if you would look at this calendar of 1963, which—do you have a calendar of 1963?

Mr. CROWE. I am not sure, I think so.

Mr. HUBERT. Do you remember what day of the week you would normally begin?

Mr. CROWE. Monday would be, the 11th.

Mr. HUBERT. Your thought is that you began on Monday, November 11, is that correct?

Mr. CROWE. Right.

Mr. HUBERT. Does the fact that it was Armed Services Day or Armistice Day, as it used to be called, assist your recollection that it was that day? I mean, is there any doubt about the fact—

Mr. CROWE. Was that Armistice Day?

Mr. HUBERT. Yes, November 11.

Mr. CROWE. I don't know.

Mr. HUBERT. Well, let me put it this way, is there any doubt in your mind that that is the day you started, on the 11th?

Mr. CROWE. No.

Mr. HUBERT. How many telephone calls do you suppose you got from Ruby in connection with this last engagement?

Mr. CROWE. Oh, maybe three.

Mr. HUBERT. Those would have been to the T-Bone Hotel at Wichita?

Mr. CROWE. No; there was no T-Bone Hotel.

Mr. HUBERT. What was the place?

Mr. CROWE. The T-Bone Club. It was at the motel where I was staying.

Mr. HUBERT. What motel was that?

Mr. CROWE. I think it was "El" something, I don't recall. Right around the corner there. It began with an "E".

Mr. HUBERT. It was near the T-Bone Club, is that correct?

Mr. CROWE. Right. El Morocco maybe, I don't know.

Mr. HUBERT. When did the engagement which began on November 11, end in fact?

Mr. CROWE. Right before Christmas, which was about, let's see—do you have a calendar again?

Mr. HUBERT. Here is a calendar of 1963 again. Let me put it this way: Did your engagement last for the entire period that you contracted for?

Mr. CROWE. Longer.

Mr. HUBERT. I see. And your thought is that you left on the 21st of December?

Mr. CROWE. Twenty-first.

Mr. HUBERT. Tell us in general what contacts you had with Jack Ruby during the period of November 11 through the 22d or the 22d of November, to the day that the President was shot?

Mr. CROWE. Well, outside of seeing him in the club when he was there, and going to breakfast with him once in awhile after working hours, that was about it.

Mr. HUBERT. Where did you live in Dallas?

Mr. CROWE. At that time I was at the Palomino Hotel on Fort Worth Avenue.

Mr. HUBERT. Did you choose that place yourself?

Mr. CROWE. Yes; I had stayed there previously.

Mr. HUBERT. Do I understand from your statement that your contacts with Ruby were limited to a few breakfasts that you had with him?

Mr. CROWE. That is about it.

Mr. HUBERT. Otherwise, I suppose it would have been simply business conversations, or were there any business conversations?

Mr. CROWE. The only thing, about the only thing Jack ever spoke of was the club, one club or the other.

Mr. HUBERT. Well, on these occasions when you went to breakfast, what did he discuss, if you recall?

Mr. CROWE. Business, money, the show itself, the band, the girls.

Mr. HUBERT. By the way, when you say breakfast, I assume you mean the meal that you took after the club closed about 2 o'clock in the morning, is that correct.

Mr. CROWE. That is right.

Mr. HUBERT. Where did you normally go?

Mr. CROWE. There was no normal, whatever suited his fancy.

Mr. HUBERT. Did he discuss with you the twistboard operation that he was interested in?

Mr. CROWE. No; he mentioned, I know he had one there that he was giving away as a prize.

Mr. HUBERT. You were not the master of ceremonies, were you?

Mr. CROWE. Yes.

Mr. HUBERT. You were. In addition to the act you had, you were also master of ceremonies?

Mr. CROWE. I introduced the other acts, yes.

Mr. HUBERT. And then you did some acting yourself?

Mr. CROWE. Yes.

Mr. HUBERT. Do you recall the names of some of the other employees or performers at the Carousel?

Mr. CROWE. You want the performers or the employees?

Mr. HUBERT. Well, both. If you remember their names.

Mr. CROWE. Let's see, at that time—at the time——

Mr. HUBERT. Of this last engagement.

Mr. CROWE. At the assassination because they had changed. At the time I came there and the time I left there were different ones.

Mr. HUBERT. They changed just within that 11-day period?

Mr. CROWE. Yes.

Mr. HUBERT. Well, can you tell us those who were there when you first came and when they left and then which others came on afterwards?

Mr. CROWE. Tammi True.

Mr. HUBERT. Did she remain the entire time you were there?

Mr. CROWE. No, no; she left a week after I was there.

Mr. HUBERT. Do you know why?

Mr. CROWE. No; her and Jack got into it is all I know.

Mr. HUBERT. You mean by that she had some sort of an argument?

Mr. CROWE. Yes; I would say.

Mr. HUBERT. Was Jada there then?

Mr. CROWE. No.

Mr. HUBERT. Was she at the T-Bone Club?

Mr. CROWE. No.

Mr. HUBERT. Do you know who I mean when I say Jada, do you know who that person is?

Mr. CROWE. I met her once but I have never worked with her.

Mr. HUBERT. Where did you meet her?

Mr. CROWE. In Dallas.

Mr. HUBERT. Was she then working for Ruby?

Mr. CROWE. No.

Mr. HUBERT. Do you recall when you met her?

Mr. CROWE. Around November 30, maybe.

Mr. HUBERT. Of what year?

Mr. CROWE. At the same time I was there.

Mr. HUBERT. 1963?

Mr. CROWE. 1963.

Mr. HUBERT. You met her after the death of the President and after the death of Oswald?

Mr. CROWE. Yes.

Mr. HUBERT. Where did you meet her?

Mr. CROWE. I don't remember the name of the club. It begins with an "M," upstairs private club, about 3 blocks from the Carousel.

Mr. HUBERT. She was playing there?

Mr. CROWE. No; she was shooting a film there.

Mr. HUBERT. What sort of a film was that?

Mr. CROWE. A film that Diamond Pictures was making.

Mr. HUBERT. Do you know what the subject of it was?

Mr. CROWE. A stripper in Dallas, I think.

Mr. HUBERT. Were you part of that film?

Mr. CROWE. I did a relief, a comedy relief segment.

Mr. HUBERT. That was about the 30th of November, you say?

Mr. CROWE. Approximately, I don't know for sure.

Mr. HUBERT. It lasted only a few days, I take it?

Mr. CROWE. A couple of days I know of.

Mr. HUBERT. You had not met her before?

Mr. CROWE. No.

Mr. HUBERT. Now, prior to the President's visit to Dallas, do you recall having either discussed with Ruby the forthcoming visit or heard Ruby say anything concerning it?

Mr. CROWE. No; and the time I had known him I had never recalled ever having heard him discuss politics or anybody in it.

Mr. HUBERT. That means over this 2 or 3 years you knew him?

Mr. CROWE. Yes.

Mr. GRIFFIN. Mr. Hubert, if I can ask a question here.

Mr. HUBERT. Let me finish this phase of the questioning. What was the general format of the show during the period from November 11 until the 22d, I believe. Will you describe to us briefly just how it operated, and what went on?

Mr. CROWE. Well, I came on stage and opened the show.

Mr. HUBERT. Was there any kind of opening music, for instance?

Mr. CROWE. I think we tried a show tune song but I never could sing so I didn't do it. I always backed out every time I got on stage, I wouldn't do it. I would start into it maybe and then I would quit and fade out or something, I would chicken out.

Mr. HUBERT. What about the band, did the band play any particular type of music to start off the show or to end it?

Mr. CROWE. Particular? Just, you know, introduction music.

Mr. HUBERT. Specifically, did they play any type of patriotic music?

Mr. CROWE. Patriotic music?

Mr. HUBERT. Yes.

Mr. CROWE. No.

Mr. HUBERT. By patriotic I mean music like America or——

Mr. CROWE. No, no; it is a jazz combo. They wouldn't play——

Mr. HUBERT. When did you first hear of the shooting of the President and where were you?

Mr. CROWE. I was in the Palomino Hotel and I first heard of it about 4 or so, 4:30.

Mr. HUBERT. How do you fix the time?

Mr. CROWE. That is when I woke up.

Mr. HUBERT. How did you hear it, did someone tell you?

Mr. CROWE. On transistor radio.

Mr. HUBERT. No one had called you?

Mr. CROWE. No.

Mr. HUBERT. What did you do after hearing it?

Mr. CROWE. I did what other people did, I guess.

Mr. HUBERT. And that is what?

Mr. CROWE. Cried.

Mr. HUBERT. Did you speak to anyone?

Mr. CROWE. No.

Mr. HUBERT. Did you see anyone? Put it this way, who was the first person you saw or spoke to after that?

Mr. CROWE. Well, let's see. I woke up, turned on the radio, heard the news. After composure, I think I went down to the shopping center, had a bite to eat, came back, and got dressed to go down to the club and then didn't feel like working. I didn't think I should, but nobody had called me not to, and I got down there, and there was a sign on it, out front, you know, says "closed."

Mr. HUBERT. What time was that?

Mr. CROWE. Oh, about 9, I guess.

Mr. HUBERT. No one from the club had called you at all?

Mr. CROWE. No.

Mr. HUBERT. Did you know Andy Armstrong?

Mr. CROWE. Yes; Andrew Armstrong. Yes.

Mr. HUBERT. He did not call you?

Mr. CROWE. No.

Mr. HUBERT. Ruby did not?

Mr. CROWE. No.

Mr. HUBERT. So you just went on your way, I take it?

Mr. CROWE. If they had called me I wouldn't have gotten dressed and went down there. No; I went down there and they had a sign on the front that said closed and I was relieved and glad. I didn't think they should be open anyway. I drove around the block and the other two clubs were closed. So I went back home.

Mr. HUBERT. What did you do, go to bed?

Mr. CROWE. I think I sat and read maybe.

Mr. HUBERT. Well, did you see anyone or talk to anyone after returning to your apartment?

Mr. CROWE. I don't know whether it was that night or the night after I called a friend of mine's house, Tom Palmer. I spoke with his wife about the incident.

Mr. HUBERT. Did you talk to Jack Ruby at any time between the assassination of the President, and the time Oswald was shot?

Mr. CROWE. I never spoke to or seen Jack Ruby again from Thursday night.

Mr. HUBERT. And you did not talk to him by phone?

Mr. CROWE. No; no.

Mr. HUBERT. Do you know George Senator?

Mr. CROWE. Yes.

Mr. HUBERT. Do you know Ralph Paul?

Mr. CROWE. Yes.

Mr. HUBERT. Did you know a man by the name of Breck Wall——

Mr. CROWE. Yes.

Mr. HUBERT. Who was staying at the Adolphus?

Mr. CROWE. Yes.

Mr. HUBERT. Do you know a man by the name of Joe Peterson?

Mr. CROWE. He was a musician, I believe.

Mr. HUBERT. You said you knew Armstrong. Did you know Larry Crafard?

Mr. CROWE. I don't recall the name.

Mr. HUBERT. Do you remember a young man that seemed to be working around the club there and sleeping on the premises?

Mr. CROWE. Yes; yes.

Mr. HUBERT. How did you know him, by what name did you know him?

Mr. CROWE. I don't recall, I believe his name was Larry. I didn't know what his last name was.

Mr. HUBERT. Did you see or speak to any one of those persons during the period from the time the President was shot until the time Oswald was shot?

Mr. CROWE. Who all did you call off again?

Mr. HUBERT. George Senator, Ralph Paul, Breck Wall, Joe Peterson, Andy Armstrong, and Larry Crafard?

Mr. CROWE. Andrew Armstrong is about the only one I can think of.

Mr. HUBERT. When did you talk to him?

Mr. CROWE. Let's see, I called—maybe that wasn't—Saturday, Sunday morning, there wasn't much time, it must have been after Oswald was shot before I even spoke to Andrew.

Mr. HUBERT. Well, as I understand it then, there was no contact of any sort whatsoever between you and any of those persons I mentioned, and I will mention them again so that the record can be straight: George Senator, Ralph Paul, Breck Wall, Joe Peterson, and Larry Crafard, there was no contact between you and Andrew Armstrong, no contact between you whatsoever, between the time the President was shot and the time Oswald was shot, of any sort whatsoever?

Mr. CROWE. No.

Mr. HUBERT. How did you learn that the show would not go on on Saturday?

Mr. CROWE. Well, I didn't figure it would go on on Saturday. I wasn't going to go down there until they called me, or somebody called me, and they knew where I was, and if I did not get a call, why I wasn't going.

Mr. HUBERT. When was payday, when were you supposed to be paid?

Mr. CROWE. Sunday.

Mr. HUBERT. Did you make any inquiry Sunday about your pay?

Mr. CROWE. No; there was nobody to ask.

Mr. HUBERT. Well, you mentioned that you did speak to Armstrong. When did you do so?

Mr. CROWE. Monday; I believe Monday evening he called me on the phone and told me to come to work.

Mr. HUBERT. Come to work on Monday evening?

Mr. CROWE. I didn't figure I would go in until Tuesday, I figured they would be out for a while. I think there was something in the Saturday paper that Jack Ruby had put, stated immediately that the club would be closed for 3 days.

Mr. HUBERT. Did you see that yourself?

Mr. CROWE. Yes; I believe I did.

Mr. HUBERT. Did you know Eva Grant?

Mr. CROWE. The name sounds familiar.

Mr. HUBERT. Well——

Mr. CROWE. Isn't that Jack Ruby's sister?

Mr. HUBERT. Yes; it is. Do you know her?

Mr. CROWE. Yes; in a way. I met her.

Mr. HUBERT. Have you ever been to the Vegas Club?

Mr. CROWE. Vegas Club; yes.

Mr. HUBERT. Have you been there?

Mr. CROWE. Yes.

Mr. HUBERT. Did you ever play there?

Mr. CROWE. No.

Mr. HUBERT. As an artist?

Mr. CROWE. No.

Mr. HUBERT. Did you go there during the last engagement we have been talking about which commenced on November 11?

Mr. CROWE. Yes, yes; I did. About the week before, I guess.

Mr. HUBERT. Did you go there on more than one occasion or just once?

Mr. CROWE. Maybe twice.

Mr. HUBERT. Who did you go there with?

Mr. CROWE. Jack and a couple of girls from the club.

Mr. HUBERT. Do you remember the girls' names?

Mr. CROWE. Little Lynn and there was another one, it is a redhead. Very good dancer, too. There was a joke about her name, something to do with Christmas.

Mr. HUBERT. That would be one occasion. Do you remember who you went with on the other?

Mr. CROWE. Well, I always went with Jack but I don't know whether there was anybody else—there probably was, but I don't recall who was along the second time.

Mr. HUBERT. Do you remember when you first made any announcement concerning the possibility, at least, that Oswald was in the Carousel?

Mr. CROWE. Sunday afternoon.

Mr. HUBERT. Who did you make the observation to and how did it come about?

Mr. CROWE. To a television reporter, I guess it was.

Mr. HUBERT. Do you know his name?

Mr. CROWE. A newspaperman.

Mr. HUBERT. Do you know the names of these people?

Mr. CROWE. No.

Mr. HUBERT. Did you approach them or did they approach you?

Mr. CROWE. Both. I had just parked my car at the garage right aside of the club because I went down there to see about my equipment which was in the club and I had known, from things I had heard, Jack had done what he did. I was concerned about my equipment, you know, whether I would get it out.

Mr. HUBERT. What time was it that you went to the club?

Mr. CROWE. Around noon, I guess.

Mr. HUBERT. Do you think it would be about a half hour after Oswald was shot?

Mr. CROWE. About a half hour after Oswald was shot.

Mr. HUBERT. How did you hear that Oswald was shot?

Mr. CROWE. I was in the office of the motel and it was on television.

Mr. HUBERT. I see. Then you became concerned about your equipment and you went immediately down?

Mr. CROWE. Down to the club.

Mr. HUBERT. And you think it was about noon when you got there. Did you have a key to get in?

Mr. CROWE. No, no.

Mr. HUBERT. Did you get in?

Mr. CROWE. No.

Mr. HUBERT. How did you expect to get in?

Mr. CROWE. Well, I don't know. I had called down there, and the line was busy, so I figured there was somebody there. But when I——

Mr. HUBERT. Did you knock when you went there?

Mr. CROWE. No; I never even got that far.

Mr. HUBERT. Tell us what happened?

Mr. CROWE. When I drove into the garage a newspaperman pulled up in front.

Mr. HUBERT. Is that the Nichols Garage, the garage right next to——

Mr. CROWE. Right next, I don't know what the name is.

Mr. HUBERT. Do you know a man by the name of Hugh Reed who ran the place? All right, sir, you drove into the garage?

Mr. CROWE. And a newspaperman drove up front, and television drove up across the street, and the newspaperman, I think, and somebody else, and they started to ask the garage attendant if he knew where Jack Ruby lived, and I came forward and I said I knew where he lived, at least I thought I did, but I didn't know he had moved, so I didn't know actually.

Mr. HUBERT. But in any case you gave them an address?

Mr. CROWE. Well, I didn't know the address but I knew how to get there.

Mr. HUBERT. I see.

Mr. CROWE. And I went out with some newspaper reporter in his Volkswagen and drove out to the apartment out by the zoo where he used to stay.

Mr. HUBERT. Then you found he was not there?

Mr. CROWE. Not there, he had moved.

Mr. HUBERT. What happened then?

Mr. CROWE. I went to the television station, the newspaperman drove me by the television station, and the television man who followed us out, wanted me to stop by and talk to them.

Mr. HUBERT. Now, what did the television man want to talk to you about, do you know? Or what did you talk to him about?

Mr. CROWE. Well, they had asked me who I was, and what I had to do with the club. I told them my name, what my job was, and I had mentioned that it was quite a series of coincidences as far as I was concerned because I had been in Washington during the inaugural of the President and then being in Dallas during the assassination of the President, and then having what I had thought or recalled, to have possibly seen Oswald in the club the week before and then working for the man who shot Oswald.

Mr. HUBERT. Now, who did you mention that series of coincidences to?

Mr. CROWE. The newspaperman and the television man.

Mr. HUBERT. Did you mention it to the newspaperman first when you were driving out to what you thought was Ruby's house?

Mr. CROWE. No. Another newspaperman, the one who drove up in the car, I mean the radio man.

Mr. HUBERT. That was after you had left the place that you thought was Ruby's house. In other words, what I am trying to get is the time that you first mentioned this series of coincidences, and the person to whom you mentioned it?

Mr. CROWE. At the front door of the club.

Mr. HUBERT. That was before you left to go to the apartment?

Mr. CROWE. Before I left to go.

Mr. HUBERT. Did——

Mr. CROWE. To me it was just a series of coincidences, I never even thought anything about it.

Mr. HUBERT. What was the reaction of the newspaperman when you told him that you thought you had seen Ruby—I mean, Oswald in Ruby's club?

Mr. CROWE. Well, they got all excited and picked that out and started snowballing it, and that was about it.

Mr. HUBERT. What are the facts concerning your possibly having seen Oswald in that club?

Mr. CROWE. Well, I wouldn't say there was any, just facts. Like I stated before, the face seemed familiar as some faces do, and I had associated him with a patron that I had seen in the club a week before. That was about it.

Mr. HUBERT. Wasn't there some aspect of the story that had to do with a memory act that was supposed to be your specialty or one of your specialties?

Mr. CROWE. Well, it is one of the bits that I did to fill time, but——

Mr. HUBERT. What are the facts concerning that?

Mr. CROWE. They asked me in what—how I had seen him in the club, and I said I thought I had used him as one of the people that was—that I would use him in my memory bit.

Mr. HUBERT. What was your memory bit. Would you describe it, please, sir?

Mr. CROWE. I have 20 people cross the front, those that I can see by the stage there, and call out an object and then I have them raise their hand at random and I call the object back to them. That was it.

Mr. HUBERT. Is there a gimmick to this or does it——

Mr. CROWE. Association.

Mr. HUBERT. In other words, it is a special form of training; do you have to train yourself to associate?

Mr. CROWE. To a small degree.

Mr. HUBERT. What mental process do you actually go through actually to accomplish this?

Mr. CROWE. What system do I use?

Mr. HUBERT. Yes.

Mr. CROWE. Or how is it done?

Mr. HUBERT. Yes. I don't want to get your professional secrets.

Mr. CROWE. That is what you are asking. [Laughter.]

Mr. HUBERT. On the other hand, what I am trying to get at is whether or not your memory bit, as you call it, would enable you to recognize or remember faces more than the ordinary person?

Mr. CROWE. No. No, my memory actually is no better, maybe it is as good as the ordinary persons. I know the system which is Spencer Thorton's to use in this memory bit and I concentrate on using it, and after it is over I have forgotten.

Mr. HUBERT. I am sure you recall that the press shortly after 24th played up, snowballed, I think perhaps, as you called it, the fact that your memory act or memory gimmick as you now call it, gave you a special expertise, if it is called that, or special ability, in remembering faces that you had seen. Is that a fact or not? I mean, is it a fact that your act does give you that extra abnormal ability or not?

Mr. CROWE. No; it does not give me anything special. Using a gimmick or a method to do the memory stunt and that is it. They built up the memory thing and they built up the bit of having seen Oswald in there, and I never stated definitely, positively, and they said that I did, and all in all, what they had in the paper was hardly even close to what I told them.

Mr. HUBERT. What did you tell them?

Mr. CROWE. Exactly as I have just stated to you.

Mr. HUBERT. Well, I don't know that I followed you about what exactly you remembered about Oswald. I think perhaps we can better repeat it then. What did you, in fact, irrespective of what you stated to them, what did you, in fact, remember then about seeing Oswald in Ruby's club?

Mr. CROWE. I had—it seemed to me that his face was familiar, and I had possibly seen him in the club the week before and used him in association with the memory routine that I did.

Mr. HUBERT. You told that to the press?

Mr. CROWE. Right.

Mr. HUBERT. And you told it actually as one of four events which you have described as a series of coincidences?

Mr. CROWE. Right.

Mr. HUBERT. I think that later you were shown a picture of Oswald, were you not?

Mr. CROWE. I don't recall that. I had seen a picture in the newspaper. But I don't recall being shown a picture.

Mr. HUBERT. Do you recall being interviewed by the FBI and Secret Service?

Mr. CROWE. Yes.

Mr. HUBERT. At that time, didn't they display a picture of Oswald to you?

Mr. CROWE. They may have, I don't remember.

Mr. HUBERT. Do you recall what your recollection concerning the identification of Oswald in Ruby's club was when you spoke to the FBI and the agents of the Secret Service?

Mr. CROWE. That I had thought possibly I had seen Oswald the week before.

Mr. HUBERT. By the week before you mean the week commencing on the 11th?

Mr. CROWE. Right.

Mr. HUBERT. Can you now or have you ever been able to fix the time of that possible event more closely than just simply the week before?

Mr. CROWE. No, no.

Mr. HUBERT. Now when did it first occur to you that you had seen Oswald in the club?

Mr. CROWE. When I saw his picture in the paper Saturday or Sunday morning, I guess it was.

Mr. HUBERT. Did you convey your impression to anyone?

Mr. CROWE. Not before the radio newsman in front of the club.

Mr. HUBERT. Is there any reason why you did not?

Mr. CROWE. I had seen no one before then. Hardly anybody to speak to.

Mr. HUBERT. I am thinking from this point of view. You tell me that you had on Saturday come to some tentative conclusion that possibly you had seen this man in the Carousel Club the week before.

Mr. CROWE. Yes.

Mr. HUBERT. Did it occur to you that that information could be valuable to the police?

Mr. CROWE. No.

Mr. HUBERT. And you spoke to no one at all from the time you woke up on the afternoon of the 22d at 4 o'clock, until you met these radio people in front of the club?

Mr. CROWE. Oh, yes, I had been out at Tom Palmer's house that Saturday night.

Mr. HUBERT. Was that the only person you saw or conversed with?

Mr. CROWE. Actually, yes.

Mr. HUBERT. Did you mention to him that you had thought you had seen or it was possible that you had seen Oswald?

Mr. CROWE. No.

Mr. HUBERT. Can you tell us why not, because may I suggest to you that it would have been quite a topic of conversation. Also the coincidences that you mentioned were almost there at that time?

Mr. CROWE. I never drew up the series of coincidences until Sunday morning, because the fourth coincidence didn't happen until then.

Mr. HUBERT. But the third one had that is to say—I guess it is the second one, the shooting of the President by Oswald.

Mr. CROWE. Yes; which was only two.

Mr. HUBERT. And your recognition that you had seen Oswald or thought you had, or it was possible that you had, in the club the week before.

Mr. CROWE. And I never put them together until Sunday morning.

Mr. HUBERT. But you tell us now that you have a distinct recollection of having thought to yourself when you saw Oswald, Oswald's picture in the paper that "I have seen this man and I saw him, I think, in the Carousel Club last week." Although you didn't convey that to anybody?

Mr. CROWE. No.

Mr. HUBERT. That actually occurred, that thought went through your mind?

Mr. CROWE. I would say so, yes.

Mr. HUBERT. Is it at all possible that it first crystallized in your mind as a conscious thought when you were speaking to the radio people?

Mr. CROWE. I thought of it the whole series of coincidences, and all of it together when I was driving from my hotel to the club that Sunday afternoon.

Mr. HUBERT. Do you mean to tell me then that prior to that time——

Mr. CROWE. I never gave it much thought.

Mr. HUBERT. You had not specifically thought that Oswald might have been in the club?

Mr. CROWE. Specifically, I never gave it too much thought. The face was familiar, and that was about it.

Mr. HUBERT. Is it fair to say that if you had actually thought on Saturday that you had seen the killer of the President in the Carousel Club the week before that you would, might, have mentioned that fact to Mr. Palmer whom you visited on Saturday night?

Mr. CROWE. Not necessarily. We discussed the assassination of the President in brief, and then they taught me how to play poker and we didn't talk about it. I didn't care to talk about it. It was too unpleasant for me.

Mr. HUBERT. What I am trying to get at is whether or not this thought that you ultimately expressed to the newspapermen shortly after noon, I take it, on the 24th, whether that thought actually existed as a conscious mental process prior to that time or not?

Mr. CROWE. Not strongly, no. Just as a passing thought on and off, only after I had heard that Ruby had shot Oswald and I started summing up the coincidences, you know, and thinking of Oswald's picture in the paper, and seeing it again, and putting it all together.

Mr. HUBERT. Did you have occasion to call a man in Evansville, Ind., I think, a friend of yours on a newspaper that day?

Mr. CROWE. David Hoy.

Mr. HUBERT. The day before?

Mr. CROWE. No; I said David Hoy.

Mr. HUBERT. Do you remember that?

Mr. CROWE. Sunday.

Mr. HUBERT. Was that before or after you told the newspaper people about the coincidences?

Mr. CROWE. Before.

Mr. HUBERT. Where did you call from?

Mr. CROWE. The hotel, I mean the motel. The motel I had just moved into that noon.

Mr. HUBERT. I understand you to say that you saw, actually witnessed the television film of Ruby shooting Oswald?

Mr. CROWE. No; I never said that.

Mr. HUBERT. How did you find out?

Mr. CROWE. I was in the office checking into the motel when it came on TV and I had heard it.

Mr. HUBERT. I see. When did you speak to Hoy?

Mr. CROWE. Oh, a couple minutes right after.

Mr. HUBERT. Why did you do so?

Mr. CROWE. Well, because he was in news and a friend of mine, you know, and I figured he would be interested in knowing if he had heard over the teletype or something.

Mr. HUBERT. So that actually the crystallization of these four coincidences came sooner than the time that you met the radio people in front of the club?

Mr. CROWE. That is what I said. From the time I was driving from the motel to the club.

Mr. HUBERT. And you placed the call from the motel?

Mr. CROWE. Right.

Mr. HUBERT. So that you called Hoy prior to?

Mr. CROWE. The crystallization of these ideas and coincidences.

Mr. HUBERT. Why did you call him then?

Mr. CROWE. Because Oswald had just been shot.

Mr. HUBERT. At that time you told me the series of coincidences had not yet crystallized because they crystallized you said a moment ago after this call?

Mr. CROWE. That is right.

Mr. HUBERT. Well, then what was the purpose of calling Hoy?

Mr. CROWE. Because Oswald had just been shot.

Mr. HUBERT. And solely for that purpose?

Mr. CROWE. Yes.

Mr. HUBERT. As a matter of fact though, you did mention to Hoy, didn't you, that you thought you had seen Oswald in the club?

Mr. CROWE. Not on that call.

Mr. HUBERT. You did not?

Mr. CROWE. Not until after. I called after that. I talked to him about three or four times that day.

Mr. HUBERT. You mean you talked to him three or four times after the shooting of Oswald?

Mr. CROWE. Yes.

Mr. HUBERT. The first call, therefore, within a couple of minutes after you heard the news on TV was simply to advise him that Oswald had been shot?

Mr. CROWE. Right.

Mr. HUBERT. And you did not at that time tell him that you thought you might have seen Oswald in the club?

Mr. CROWE. No.

Mr. HUBERT. Your purpose, you stated, for calling Hoy the first time then was simply to advise him of a fact, to wit, that Oswald had been shot?

Mr. CROWE. Right.

Mr. HUBERT. Was it to advise him of the fact or to converse with him about it?

Mr. CROWE. Well, him being a newsman you know call him and tell him about it if he hadn't heard about it already.

Mr. HUBERT. Didn't it occur to you that this news event was going all over the country simultaneously?

Mr. CROWE. Well, I knew it was in Dallas but I didn't know whether it was in Evansville or not.

Mr. HUBERT. How do you know Hoy?

Mr. CROWE. Whether he was watching it on television or whether he was even watching television.

Mr. HUBERT. How well do you know Hoy?

Mr. CROWE. Very well.

Mr. HUBERT. Have you ever called him before to give him news of this sort?

Mr. CROWE. No; I never had any news of this sort to give him.

Mr. HUBERT. Were you childhood friends or something of that sort?

Mr. CROWE. No; I met him—I knew of him and he knew of me but we actually really first met about 1958, I suppose.

Mr. HUBERT. Are you quite certain that you did not speak to Hoy on the first call about your impression that Oswald might have been in the Carousel the week prior?

Mr. CROWE. No.

Mr. HUBERT. So that it is possible that you may have told him that on the very first call?

Mr. CROWE. No; I mean no, I had not mentioned that to him on the first call. I have heard David Hoy state to others in front of me that I was the one that called him to tell him about Jack Ruby and what he was like and working with him. But that is all he has ever said. He has never said that I had called him and told him that I had seen Oswald in the club the week before, because I hadn't. I hadn't mentioned that to him until later on in the afternoon.

Mr. HUBERT. Did you speak to a man by the name of Dale Burgess on that day who was with the radio station, I believe, or some news media in Evansville?

Mr. CROWE. I don't recall the name. I spoke to a newspaper man in Evansville.

Mr. HUBERT. Who was that?

Mr. CROWE. I don't recall.

Mr. HUBERT. When?

Mr. CROWE. That same Sunday.

Mr. HUBERT. Do you remember the time?

Mr. CROWE. No; I don't. It would have had to have been, well, in the late afternoon, I guess.

Mr. HUBERT. Is Evansville on central standard time or eastern time?

Mr. CROWE. Central.

Mr. HUBERT. What was the time of your second call to Mr. Hoy?

Mr. CROWE. I don't remember.

Mr. HUBERT. Well, relative to the events which were taking place, considering that I think you said it was about noon, well, it was about 11:30 when you first called him and then you went down to the club——

Mr. CROWE. And then went to the——

Mr. HUBERT. Were interviewed by the newsmen and went to what you thought was Ruby's house and came back.

Mr. CROWE. Yes; and then to the television station.

Mr. HUBERT. Television station and made a statement?

Mr. CROWE. Was interviewed there, and then went back to the motel I guess, so that would be——

Mr. HUBERT. Was it at that time that you called Hoy?

Mr. CROWE. I guess it would be about maybe three.

Mr. HUBERT. What was the purpose of calling Hoy the second time?

Mr. CROWE. To—I don't remember whether I did call him or he called me. I know I spoke to him. Anyway, I told him about the series of coincidences.

Mr. HUBERT. And that was the first time you had told him about that?

Mr. CROWE. That was the first time; yes.

Mr. HUBERT. Was that before or after you spoke to the other newsman from Evansville whose name you couldn't remember?

Mr. CROWE. I would say before.

Mr. HUBERT. Then after you had talked to Hoy the second time is when you spoke to the newsman from Evansville?

Mr. CROWE. Right. I think he had the newsman call me.

Mr. HUBERT. And you are not certain whether Hoy called you or you called Hoy?

Mr. CROWE. No. There were about 3 or 4 calls going out——

Mr. HUBERT. Were you present, where did this second call take place from, where were you when you made the second call?

Mr. CROWE. Right at the motel.

Mr. HUBERT. You say there were some more calls that day between you and Hoy?

Mr. CROWE. Yes.

Mr. HUBERT. What were they about?

Mr. CROWE. He had called me once, and said that the American News, I think, or the American Broadcasting, the word American comes to my mind, had suggested that he tell me to make myself scarce or to hide out or to move and let my whereabouts not be known.

Mr. HUBERT. Did he say why you should take such action?

Mr. CROWE. He said that it had been expressed to him that my life would be in danger.

Mr. HUBERT. Did he tell you why he thought or he had heard that your life might be in danger?

Mr. CROWE. Because I had mentioned about seeing Oswald in the club.

Mr. HUBERT. Did he say who would be interested at all in killing you for that reason?

Mr. CROWE. He didn't know. He was just expressing what he said he had heard from another news media. And maybe they were thought friends of Jack's, you know, or I don't know.

Mr. HUBERT. Well now, you made, I think, a previous statement both to the FBI and—I think you gave an affidavit in Dallas—to the Secret Service attested by a notary public—no, by Mr. John Joe Howlett, special agent of the Secret Service. For purposes of identification, I am going to mark these two documents which I am going to show you in a moment as follows to wit, first of all, the FBI report dated November 24, or rather which purports to be a report on an interview with you on November 24th by FBI Agents Robert Lish and Emory Morton. For the purpose of identification I am going to mark this document on the right-hand margin as follows: "Washington, D.C., June 2, 1964, Exhibit No. 1, deposition of William D. Crowe, Jr.", signing my name below that, the document consisting of one page only. And another document which purports to be an affidavit given by you on November 25 at 1 p.m. attested by John Joe Howlett, special agent of the U.S. Secret Service with Pauline Churchill as a witness. For purposes of identification I am marking that document as follows, to wit,

"Washington, D.C., June 2, 1964, Exhibit No. 2, Deposition of William D. Crowe, Jr.", and I am signing my name below on that.

(The documents referred to were marked Crowe Exhibits Nos. 1 and 2 for identification.)

Mr. Crowe, I wish you would read both of these documents with this in mind, that I am going to ask you in a moment whether these documents represent the truth or whether there are any changes or corrections that should be made in them, and so forth. So if you would look at them and you can make notes, if you wish on this pad or just make little check marks if you see anything that represents what is now considered by you to be not true. We will go into those matters after you have had a chance to read those documents.

Mr. CROWE. Those are it; no changes.

Mr. HUBERT. You have examined the two documents which have been marked for identification as Exhibits Nos. 1 and 2 relating to your deposition; and I understand you now to say that those documents represent the truth as you know it, is that correct?

Mr. CROWE. Right.

Mr. HUBERT. Of course, Exhibit No. 2 is your own affidavit.

Mr. CROWE. Yes.

Mr. HUBERT. I assume that you signed it—I mean you read it before you signed it?

Mr. CROWE. Yes.

Mr. HUBERT. Exhibit No. 1 on the other hand is a report of an interview which you have not seen before, I take it, and I specifically ask you if such is a correct representation of the inquiry?

Mr. CROWE. Yes; these are the questions, yes.

Mr. HUBERT. Now, will you tell us what is your present recollection concerning whether Oswald was in the Carousel Club during the week preceding the death of the President?

Mr. CROWE. Would you state the first part of the question again?

Mr. HUBERT. Would you give us your present recollection concerning whether Lee Harvey Oswald was in the Carousel Club on the week preceding the death of the President?

Mr. CROWE. From what I recall, the face appeared familiar and I possibly saw Lee Harvey Oswald in the club the week before.

Mr. HUBERT. Were the lighting conditions in the club such that you could have seen him?

Mr. CROWE. To some extent. If he was sitting right at the foot of the stage.

Mr. HUBERT. If not, that is if he were not sitting right at the foot of the stage, then what?

Mr. CROWE. Then I wouldn't have used him and I wouldn't have seen him.

Mr. HUBERT. In other words, your act required that you use the people up front in the first place?

Mr. CROWE. Right.

Mr. HUBERT. And secondly, the lighting was such that you couldn't have seen him if he were not in the first row; right?

Mr. CROWE. Right.

Mr. HUBERT. So that whomever you saw you thought and think might have a resemblance to Lee Harvey Oswald must have been in the first row?

Mr. CROWE. Right. I might say this: Bill Willis, the drummer in the band at the club, said he seemed to remember Lee Harvey Oswald sitting in the front row on Thursday night right in the corner of the stage and the runway.

Mr. HUBERT. Did you get this from Willis himself?

Mr. CROWE. Right. But I wouldn't make that statement myself. But then I don't recall the night or the exact spot.

Mr. HUBERT. I would like to show you a number of pictures which I am not going to give identifying numbers for this deposition since they have already been given identification numbers, but, for example, I now hand to you four pictures, the first two that I am going to call out being really a series of pictures—no, the first one, I am sorry, being a series of pictures, and the other three being individual pictures. These have previously been identified as Ex-

hibits Nos. 5212, 5221, 5206, and 5205 in the deposition of C. L. Crafard, taken in Washington, D.C., on April 10, 1964.

I am going to ask you to look at these pictures and see if in any of them you see anybody that resembles the man that you may have seen there and who might look like Lee Harvey Oswald.

Mr. CROWE. When were these taken?

Mr. HUBERT. Well, I don't know. I would just like to ask you to examine them and see if there is anybody in there that looks like the man you used in your memory act and who was in the front row, and who you think looked like Lee Harvey Oswald. And whom you said may have been in the Carousel Club during the week prior to the death of the President?

Mr. CROWE. No.

Mr. HUBERT. You have said no after examining the picture which has been previously identified as No. 5212 of the deposition of Crafard. Now, you are looking at the picture which has been identified as Exhibit No. 5221 of the deposition of C. L. Crafard, and I ask you the same question as to that picture?

Mr. CROWE. No.

Mr. HUBERT. All right, your answer no is in response to the question relative to Exhibit No. 5221, deposition of Crafard. Would you look at the next picture, please, which has been identified previously as Exhibit No. 5206——

Mr. CROWE. And all backs of heads.

Mr. HUBERT. In the deposition of Crafard. I am sorry, I didn't get your answer?

Mr. CROWE. I say all backs of heads. He kind of favors it.

Mr. HUBERT. You are saying "he" and pointing. To whom are you pointing in the picture?

Mr. CROWE. I don't know.

Mr. HUBERT. I mean describe it by way of position.

Mr. CROWE. Well, he is standing on stage.

Mr. HUBERT. Is it correct to say he is almost in the middle of that picture?

Mr. CROWE. Yes.

Mr. HUBERT. And that the microphone is right behind him?

Mr. CROWE. Right behind him.

Mr. HUBERT. He seems to have his sleeves halfway rolled up his arm?

Mr. CROWE. Yes; got a cigarette in his right hand.

Mr. HUBERT. That he seems to be leaning over a bit?

Mr. CROWE. And leaning forward.

Mr. HUBERT. Does that person resemble the person that you think you saw in the Carousel Club the week prior to the death of the President?

Mr. CROWE. No; I wouldn't say that. I say he favors.

Mr. HUBERT. Favors whom?

Mr. CROWE. Oswald. But I don't recall him as being the one that I saw.

Mr. HUBERT. You think the man you just talked about in Crafard Exhibit No. 5206 is not the man that you have been referring to as possibly Oswald in your previous statements to the FBI, to the press, and so forth?

Mr. CROWE. Right.

Mr. HUBERT. But that he does bear some resemblance to him?

Mr. CROWE. Right. I could be wrong.

Mr. HUBERT. Would you look at——

Mr. CROWE. Oh——

Mr. HUBERT. Exhibit No. 5205 of the deposition of C. L. Crafard, and I ask you to examine that picture with the same purpose in mind.

Mr. CROWE. Yes, the second person in the foreground has some similarity to Oswald, doesn't he?

Mr. HUBERT. You are talking about the man who is just left of center in the lower quadrant of that photo?

Mr. CROWE. Right.

Mr. HUBERT. As to whom there is pointing a little pen written arrow; is that correct?

Mr. CROWE. Right.

Mr. HUBERT. What is your comment as to that man, with reference to the

possibility that he is the man you saw a week before the President was shot, in the Carousel Club, and who took some part in your memory act?

Mr. CROWE. Well, I wouldn't say that he was the man I saw.

Mr. HUBERT. What comment do you have to make about him then?

Mr. CROWE. He does favor Oswald.

Mr. HUBERT. I gather that your comment as to the man in the picture identified as Exhibit No. 5205 is substantially the same as your comment made with reference to the man in Crafard Exhibit No. 5206, is that correct?

Mr. CROWE. Right.

Mr. HUBERT. Is it stronger or weaker, that is to say, do you think the resemblance to Oswald is stronger in one picture than it is in the other?

Mr. CROWE. I would say stronger in Crafard Exhibit No. 5205. He is not smiling.

Mr. HUBERT. Now, as to the man you have pointed out in Crafard Exhibits Nos. 5205 and 5206, do you recall ever having seen him in the Carousel before?

Mr. CROWE. As to him personally, I couldn't say for sure. The clothes are not familiar to me.

Mr. HUBERT. How was the man dressed who took part in your memory act that you think might have been Oswald?

Mr. CROWE. I have no idea as to how he was dressed.

Mr. HUBERT. Your statements concerning the possibility it was Oswald therefore was based entirely on the facial——

Mr. CROWE. The face alone.

Mr. HUBERT. Of course, you never saw Oswald in person, that is to say unless it was Oswald in the club?

Mr. CROWE. Yes; I never met him.

Mr. HUBERT. Your identification of the man in the club and the possibility he was Oswald is based, therefore, upon pictures which appeared in the paper and which the police exhibited to you, or the FBI, is that correct?

Mr. CROWE. Right.

Mr. HUBERT. Do you have any recollection now or have you ever had any recollection at any time of the position of the person who might have been Oswald in your memory act relative to other people. Do you understand what I mean? You know he had to be in the first row. Have you any recollection or have you ever had any, as to whether he was center, the left, or the right or what?

Mr. CROWE. No; they have three runways running out from the stage, and the customers are seated along and around the runways, and they can either be alone or with somebody, you would never know, you had no way of telling.

Mr. HUBERT. You don't recollect whether the man who might have been Oswald was alone or was with someone else?

Mr. CROWE. No; you can't tell the way they are seated.

Mr. HUBERT. By the way, with reference to those four pictures identified as Exhibits Nos. 5212, 5221, 5205, and 5206 in the deposition of C. L. Crafard, are you able to state that you recognize those pictures generally as being the interior of the Carousel Club?

Mr. CROWE. Yes.

Mr. HUBERT. What is your present thought as to the possibility that the man that you had previously spoken about in the pictures identified as Exhibits Nos. 5205 and 5206 of the deposition of Crafard, may have been the man that you stated was a part of your memory act a week prior to the death of the President?

Mr. CROWE. It is a possibility.

Mr. HUBERT. Do you think it is a greater possibility that from the pictures you have seen of Oswald that it was Oswald than that it was the man in the pictures, Exhibits Nos. 5205 and 5206?

Mr. CROWE. No; I wouldn't say it was greater or any less.

Mr. HUBERT. In other words, having seen the pictures of Oswald and having seen the pictures of the man in five, Exhibits Nos. 5206 and 5205, your thought is that it could have been either?

Mr. CROWE. Right.

Mr. HUBERT. That you do not favor the identification of one over the other in terms of strength of identification?

Mr. CROWE. No.

Mr. HUBERT. Did you receive any sums of money or any kind of recompense for any story or appearance you may have made concerning this matter of your having possibly seen Oswald in the Carousel?

Mr. CROWE. Definitely not.

Mr. HUBERT. Have you anything else, Mr. Crowe, that you would like to add?

Mr. CROWE. I was just taking a breath to say that the only reason why Oswald was mentioned and thought of was because of the possibility of being or that I thought he was one of a part of a series of coincidences. And the coincidences was the only thing that I had in mind.

Mr. HUBERT. All right.

Now, Mr. Crowe, neither I nor Mr. Griffin have ever interviewed you before the commencement of this deposition, is that correct?

Mr. CROWE. That is correct, yes.

Mr. HUBERT. That is to say all of the examination or conversation or contact between us has been in this room and while the reporter was recording it, is that correct?

Mr. CROWE. Right.

Mr. HUBERT. All right, sir, thank you very much.

TESTIMONY OF CHARLES BATCHELOR

The testimony of Charles Batchelor was taken at 1 p.m., on July 13, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Leon D. Hubert, Jr., assistant counsel of the President's Commission. Sam Kelley, assistant attorney general of Texas, was present.

Mr. HUBERT. Chief Batchelor, my name is Leon Hubert. I am a member of the advisory staff of the general counsel of the President's Commission.

Under the provisions of Executive Order 11130 dated November 29, 1963, and the joint resolution of Congress No. 137, and the rules of procedure adopted by the President's Commission in conformance with that Executive order and the joint resolution, I have been authorized to take a sworn deposition from you, among others.

I state to you now that the general nature of the Commission's inquiry is to ascertain, evaluate, and report upon the facts relevant to the assassination of President Kennedy and the subsequent violent death of Lee Harvey Oswald.

In particular as to you, Chief Batchelor, the nature of the inquiry today is to determine what facts you know about the death of Oswald and any other pertinent facts you may know about the general inquiry.

Now Chief, I understand that you appeared today by virtue of a general request made to Chief Curry by Mr. J. Lee Rankin, general counsel of the staff of the President's Commission.

Under the rules adopted by the Commission, you are entitled to a 3-day written notice prior to the taking of any deposition, but the rules adopted by the Commission also provide that you may waive that if you wish, and I ask you now if you are willing to waive the 3-day notice?

Chief BATCHELOR. Yes.

Mr. HUBERT. Will you then stand and raise your right hand? Do you solemnly swear that the testimony you are about to give in this matter will be the truth, the whole truth, and nothing but the truth, so help you God?

Chief BATCHELOR. I do.

Mr. HUBERT. Chief Batchelor, your deposition has already been taken, and therefore I will omit the usual questions identifying you and who you are and so forth.

There are certain other areas which we wish to cover, or areas which we wish to clarify, and hence the purpose of this subsequent deposition.

Do you recall what instructions, if any, you gave to Captain Talbert with regard to any type of security measures set up or to be set up?

Chief BATCHELOR. I don't recall that I gave Talbert any specific instructions.

Mr. HUBERT. Do you recall what security instructions, I mean security measures were taken when you first arrived at the Dallas Police Department relative to the transfer of Oswald on Sunday, November 24?

Chief BATCHELOR. Well, as I believe I stated in my previous deposition, when I arrived there I parked my car in the basement and shortly, just moments after I arrived, Chief Stevenson arrived. We walked into the city hall from the basement.

Mr. HUBERT. Do you remember what time that was, sir?

Chief BATCHELOR. Somewhere around 8 in the morning. We noticed a TV camera in the hallway leading from the vestibule of the basement into the garage of the basement, and we commented that this was going to have to be moved. We went on upstairs to the office.

Mr. HUBERT. You commented?

Chief BATCHELOR. To Chief Stevenson. We went upstairs, and shortly thereafter Chief Curry arrived, and he had noticed this camera too, and we discussed it and said we would have to get it moved. There was no one around it. It was just sitting there.

Mr. HUBERT. This was in what you call the jail corridor?

Chief BATCHELOR. Just outside the jail corridor.

Mr. HUBERT. On the ramp side of the swinging doors?

Chief BATCHELOR. Yes; we went back—we came, after discussing this with Chief Curry, and he told us we better go down and take a look and see what we were going to need in the way of security—we went downstairs and gave instructions, I believe, to the jail supervisor that whoever had that camera, when they showed up, to tell them they would have to move it.

Mr. HUBERT. Was that before or after the decision was made that the city police would move Oswald rather than the sheriff's office?

Chief BATCHELOR. Well, Chief Stevenson and I went into the basement on two occasions seeing about the layout down there. I believe that when I told the jail supervisor to get that camera moved, that this was on the first occasion and was before, I believe—I can't be positive of that, but I think it was before.

Mr. HUBERT. Had it been decided at that time that the route to be used would be through the basement?

Chief BATCHELOR. Well, this is the normal way you take prisoners out of the jail, and I don't think any consideration had been given to doing it any other way. It was just an assumption that this would be the way he was taken out.

Mr. HUBERT. This was the way to be used and this camera was in the way?

Chief BATCHELOR. Yes; now if you wanted to avoid people by taking him out, it would be possible to take him off the jail elevator on the second floor or the first floor, but this is not the normal way you take prisoners out of the jail.

There is a door off the jail elevator on the first floor for the purpose of bringing prisoners down and arraigning them before the corporation courts which are on the first floor.

There is also an entrance off of the second floor and third floor of the jail elevator for the purpose of bringing prisoners down to the various bureaus for interrogation, but I don't recall that we discussed bringing him off in this fashion.

Mr. HUBERT. Well now, I understand that at a later time you and Chief Curry and Chief Stevenson also made a general inspection?

Chief BATCHELOR. Yes; at that time we went down and this camera had been moved.

Mr. HUBERT. About what time was that?

Chief BATCHELOR. I can't recall exactly. I would say that it was some time between 9 and 10 o'clock.

Mr. HUBERT. Do you think that would have been after the decision had been made that the city police department would transfer the prisoner?

Chief BATCHELOR. Yes; I believe it was.

Mr. HUBERT. In other words, it was after the conversation of Chief Curry with Sheriff Decker?

Chief BATCHELOR. Yes, sir.

Mr. HUBERT. Now were you present when Chief Curry spoke to Sheriff Decker?

Chief BATCHELOR. I was in his office; yes, sir. I believe I was the only one in the office with him at that time.

Mr. HUBERT. Therefore you remember that it was then that the decision was made that the police department would move him?

Chief BATCHELOR. Yes, sir; of course I could only understand one side of the conversation, but from the way Chief Curry was talking to the sheriff, I gathered that the sheriff had asked him if he would move him. The general procedure is for the sheriff to move prisoners.

Mr. HUBERT. But as I understand it, it is not extraordinary for you all to do it on certain occasions?

Chief BATCHELOR. No; we occasionally do it.

Mr. HUBERT. All right now, when that was learned, as I understand it, it was then that plans began to be made for your transfer of Oswald?

Chief BATCHELOR. Yes, sir.

Mr. HUBERT. And I suppose it is correct to say then that previous to that time there had been no consideration made of any transfer plans since you didn't know actually that you were going to do it?

Chief BATCHELOR. We hadn't made any definite plans the night before, if that is what you mean. It was on that morning around 6:30 in the morning when I received a call at home to the effect that an anonymous call had come in threatening to take the prisoner away from us. This was when we really began to be concerned about some extraordinary procedures in moving him.

Mr. HUBERT. Was it your thought that you all were better equipped to handle it?

Chief BATCHELOR. We had more manpower than the sheriff would have.

Mr. HUBERT. Well, would you tell us just how the plans developed from that time then after the Decker call about transferring him, that you know of?

Chief BATCHELOR. This is when Chief Curry and I discussed the possibility of getting an armored truck in which to move him, and we discussed this between ourselves and decided this would probably be a safe measure.

Mr. HUBERT. Was it just you and he, or was somebody else there?

Chief BATCHELOR. I believe Chief Lumpkin came in the office at the time this discussion was going on, and I went into my office and called Mr. Fleming at his home. I had to do a little search in the city directory to see who was in charge of the Armored Motor Car Service. I called him at his home.

Mr. HUBERT. Do you know what time that was?

Chief BATCHELOR. It must have been around 9 o'clock or shortly after.

Mr. HUBERT. Did you tell him what time you wanted the equipment on hand?

Chief BATCHELOR. No; it was actually close to 10:30 when he finally called me back and said he had the equipment ready and was bringing it downtown, but I didn't tell him any definite time, that I recall. In other words, I didn't say we were going to move him at a certain hour. I told him we were ready to move.

Mr. HUBERT. In other words, you told him to get the equipment there and would use it when you had occasion to use it?

Chief BATCHELOR. That's right.

Mr. HUBERT. At that time when you called him, as a matter of fact, was the time of the transfer set?

Chief BATCHELOR. There never was a definite time set for his transfer. Even though the press announced that he would be moved at 10 o'clock, there was never an announcement made that he would be moved at 10 o'clock, that I recall.

The thing that was said was that if the press were there by 10 o'clock, we thought it would be ample, that they wouldn't miss anything.

Mr. HUBERT. What was the fact, the controlling factor insofar as time was concerned?

Chief BATCHELOR. When the homicide bureau finished their interrogation of Oswald that morning.

Mr. HUBERT. So then when you first talked to Fleming, he was not able to tell you whether he could get it?

Chief BATCHELOR. Well, he said he thought he could, but he was going to have to call his people and get some drivers down there, because they were closed up on Sunday, and he said, "As soon as I get hold of them, I will call you."

He called me twice. He called me back later and said he had the drivers and he had two trucks, one a large Overland truck which would accommodate people sitting on each side of the truck on benches, and one a smaller truck.

He recommended the larger truck because the smaller truck would only accommodate one person in the back, and of course there would be need for guards.

So then the question arose as to whether or not this truck could be backed into the basement in front of the door leading out of the jail, because there is a low point in the ramp at that point.

So he asked me if I would check and see how high that was. And I checked with Chief Lumpkin, and he told me that it was 7'5". This was not tall enough to accommodate the truck.

Mr. HUBERT. Then what happened?

Chief BATCHELOR. Then I called Mr. Fleming and told him the height and suggested that we would back the truck in on Commerce Street and not take it clear to the bottom.

Mr. HUBERT. Then you ordered the larger one only?

Chief BATCHELOR. No; he sent two. He said, "I will send you both, and you can make a determination when we get there; take the one you like."

Mr. HUBERT. That second conversation was about 10:30 or so?

Chief BATCHELOR. Yes; as I recall, it must have been around 10:30. It was actually after 11 before the trucks finally got there.

Mr. HUBERT. It was after what, sir?

Chief BATCHELOR. I believe it was a little after 11 when the trucks finally got there; yes.

Mr. HUBERT. Do you have any way of fixing that time as to when the trucks actually got there?

Chief BATCHELOR. Well, the way I fix that in my mind is the lapse of time from the time the trucks arrived until Oswald finally was brought out in the basement, and this was not very long.

We backed the truck in, and I believe it was Lieutenant Smart and I got in the truck and searched it, and got some bottles, a couple of Coke bottles, and a bolt that we found laying there, and took that out of the truck.

The truck had benches on each side with cushions on the benches. This was all that was in the truck. And it was only a short time after that until they actually brought him out. Probably not more than 20 or 30 minutes after the arrival of the trucks that they brought him down.

Mr. HUBERT. Were you advised of the arrival of the trucks?

Chief BATCHELOR. I was in the basement when they came, and somebody came down the ramp and told me they were out there, and I went out there and looked at them.

Mr. HUBERT. And you directed that they be backed in?

Chief BATCHELOR. That the big truck. And he backed it in and got the back wheels over the sidewalk and down the ramp, and it is a fairly steep ramp. The driver suggested that he not take it clear to the bottom.

Mr. HUBERT. Did he say why?

Chief BATCHELOR. Yes; he was afraid that he would stall the truck in coming out. It was a heavy truck and they had just taken it off of their lot. It had been sitting there all night and the motor was cold and he was afraid if he got it down the ramp and started out that he might stall, and he didn't want to do that.

I looked the truck over. That is, I looked at the truck in relation to the walls of the ramp and found that it was so wide that there was only about a foot of space left on one side, and about 2 feet on the other.

Mr. HUBERT. Do you remember which had 1 foot and which had 2 feet?

Chief BATCHELOR. Yes, sir; the side of the truck next to the west wall—

Mr. HUBERT. That is to say, the Harwood Street side?

Chief BATCHELOR. That's right. Next to the Harwood Street side it had about a foot of space, and next to the east wall, the other side, it had about 2 feet of space, and we put one man in the space between the west wall and the truck, and two men between the east wall and the truck and completely blocked the area.

Mr. HUBERT. Do you know who those men were?

Chief BATCHELOR. The body of the truck was actually inside the building on the ramp, and the engine and the front wheels were setting out on the level portion of the sidewalk.

Mr. HUBERT. Do you know who the three men were that blocked the sides?

Chief BATCHELOR. No; I don't recall who.

Mr. HUBERT. Did you actually see them being placed in position?

Chief BATCHELOR. I was standing at the foot of the ramp and saw them standing there. They were put there at my direction, but I didn't personally direct these particular officers. I told the supervisor to put the men there. I don't remember who that was either, but they were there.

Mr. HUBERT. And their orders were to remain there?

Chief BATCHELOR. They remained there.

Mr. HUBERT. Did you see them there at a later time?

Chief BATCHELOR. Yes, sir; they were there when I started to run up the ramp and close the back door at the time they brought Oswald out.

Mr. HUBERT. The men were still there?

Chief BATCHELOR. They were still there.

Mr. HUBERT. But you don't recall their names now?

Chief BATCHELOR. No, sir; I don't.

Mr. HUBERT. But it was the same men, the one man guarding the 1-foot space on the Harwood Street side, and the other two guarding the 2-foot space on the other side were there right after the truck backed in and were still there just before Oswald was shot, and so far as you know, they did not move?

Chief BATCHELOR. Yes.

Mr. HUBERT. They were under orders to stay there?

Chief BATCHELOR. Yes; I didn't give them their orders. They were placed there, and they were there, so I assumed that they knew to stay there.

Mr. HUBERT. What did you do after you left the truck, do you recall?

Chief BATCHELOR. Left the truck?

Mr. HUBERT. The armored car.

Chief BATCHELOR. I was standing in the basement after I left the truck, and went down to the foot of the ramp. There was a time that Chief Stevenson came down and whispered to me that they had a change of plans and that they were going to use the truck as a decoy, and that Oswald was to be taken in an automobile with detectives.

Mr. HUBERT. You did not go back up to the third floor then between the time?

Chief BATCHELOR. Not after that truck got to the basement.

Mr. HUBERT. Did you leave the basement area at all after the truck backed in?

Chief BATCHELOR. No, sir; I don't recall that I did.

Mr. HUBERT. Where were you then, just around in there?

Chief BATCHELOR. Around in there.

Mr. HUBERT. And Stevenson told you about the change after you had left the truck. About how much time, roughly, before the shooting?

Chief BATCHELOR. Oh, just a very short time. From the time that he told me that they had changed their plans and the time the shooting happened couldn't have been over 10 or 15 minutes at the most.

After he told me, Lieutenant Pierce and Sergeant Putnam got a squad car and took it out the Main Street ramp to get around the city hall.

Mr. HUBERT. Was that movement part of the original movement?

Chief BATCHELOR. No, sir; that was part of the changed plan.

Mr. HUBERT. Did Stevenson tell you about that too then?

Chief BATCHELOR. No; he didn't actually tell me about that. I saw him pulling out. I believe at that time he told me what they were doing, and then immediately after they took their car out. Two homicide detectives got two detective cars and started lining them up to go behind this truck, and one of them got in

place and pulled up to the edge of the ramp, and then the other one backed his car in the place, and he had hardly stopped when they brought Oswald out.

And I was standing up toward the front of the back car, the best I remember, toward the front of the front fender, and they were still sort of jockeying these cars.

And about that time someone shouted "Here he comes", and I looked over and saw them open the door and bring him out, and I turned and started up the ramp to close the back door on the armored truck.

No one, nobody—the truck driver nor anyone up on the ramp knew of this change of plans but the detectives involved in driving these cars.

Mr. HUBERT. And yourself and Stevenson?

Chief BATCHELOR. And myself, Stevenson and Chief Lumpkin. The rest of the men in the basement were not aware of this change of plans. He whispered this to me.

Mr. HUBERT. You realized the door had to be closed?

Chief BATCHELOR. I realized the door had to be closed and we hadn't told anybody to close it, so as soon as they brought him out and I saw them bringing him out, I turned and started up the ramp to close the door on the truck, and that is when the shooting happened.

Mr. HUBERT. Do you remember having any conversation or giving any instructions with reference to the position of the press and other news media on the west side of the railing that divided the ramp from the basement?

Chief BATCHELOR. Yes.

Mr. HUBERT. That is to say, the Harwood side of the railing?

Chief BATCHELOR. I don't follow you. There is not any Harwood Street side of the railing. The railing is on the other side of the driveway.

Mr. HUBERT. That's right, but if you take the railing as a central point—I will put it this way. The jail side of the ramp, does that make sense to you?

Chief BATCHELOR. Yes.

Mr. HUBERT. Which I think is really the west side of the railing?

Chief BATCHELOR. West side of the ramp; yes, and it would also be west of the railing.

Mr. HUBERT. Were their any instructions or change of instructions with reference to the position of the press relative to the railing?

Chief BATCHELOR. Yes, sir; Chief Curry earlier, when we had come down there and looked the situation over, had instructed that we keep all the press on the inside of the railing of the ramp. That would be east of the railing.

Mr. HUBERT. On the garage side?

Chief BATCHELOR. That's right. We had also instructed that the TV camera be moved out. I had instructed that.

Mr. HUBERT. Moved out of the vestibule or corridor?

Chief BATCHELOR. Between the time Chief Curry had come down with Stevenson and me and the time I came to the basement the last time they had moved two TV cameras in behind the railing where the press was to stand.

They also had one TV camera which was on the other side of the post at the railing on the little ramp that goes down into the garage proper. This camera, as I recall it, was inoperative.

Mr. HUBERT. Wasn't connected up?

Chief BATCHELOR. Wasn't connected up. So later when I came down there, there actually was not room for the press behind that railing. It was all taken up with TV cameras. And they were scattered out along the driveway across the ramp that goes into the garage proper, the little short ramp that runs east and west into the garage.

And there wasn't enough room. Detectives were in the vestibule of the jail office coming into the basement.

It was Captain Talbert, I believe, that asked me, in view of the fact that there wasn't enough room over there, if some of these fellows could stand across there, if we kept them back and put some men to keep them back, and I said, "Yes, this would be all right." So they were across this ramp.

Mr. HUBERT. That is to say, the ramp leading up to Main Street?

Chief BATCHELOR. That's right. Across the ramp leading up to Main Street. They stood from the wall over to the railing. Now there were none standing on

the west side of that railing itself. This would have been in front of the cameras. They curved slightly from the wall, from the west wall of the ramp over to the railing.

Mr. HUBERT. In sort of a slight curve, sets easterly?

Chief BATCHELOR. Slightly to the south. Easterly, and slightly to the south in a very slight curve, and there were detectives standing there all along, and they didn't move out. They held their positions there, and the press was instructed that they were not to move out or attempt to talk to Oswald.

Mr. HUBERT. Did you instruct them yourself, or did you hear someone instruct them?

Chief BATCHELOR. No, I didn't instruct them myself, but I heard them instructed, and I can't recall who it was that told them, it was one of the supervisors, they were to stay back and not move in when they came out.

Mr. HUBERT. Did you hear anyone ask for permission to occupy that space on the Main Street ramp as they did in a slightly curved line, as you indicated a moment ago?

Chief BATCHELOR. Did I hear anyone ask for permission?

Mr. HUBERT. Yes, sir.

Chief BATCHELOR. The supervisor asked me if this would be all right. It was Talbert, I believe, that asked me that.

Mr. HUBERT. But you didn't hear the press people ask?

Chief BATCHELOR. No; the press people didn't ask me that.

Mr. HUBERT. Your instructions were that it would be all right if they kept back and if the line of policemen were put in front of them, and so far as you know, it was done?

Chief BATCHELOR. That was done. There were a number of policemen along there with them, and there were not very many people along there. That is not very wide across there. I imagine about maybe 12 feet. And they were not over about two deep where one could look over another's shoulder.

Mr. HUBERT. About what time did that happen? Was it after the armored truck arrived?

Chief BATCHELOR. They were lined up there at the time Lieutenant Pierce and the sergeant took that car out the Main Street ramp, because they had to part them to get the car through.

Mr. HUBERT. So that your conversation with Talbert about that would have been after you left the armored truck, I would think?

Chief BATCHELOR. No; not necessarily. They were standing there for some little time, because they didn't know exactly when he was coming down. No; it was before.

If you mean after the last time I walked down to the armored truck and got down to the basement—well, it could have been, because it was some little time after I searched that armored truck, and I didn't go back up there.

I say some little time, being probably 15 or 20 minutes, something like that. I can't recall definitely the exact time that Talbert asked me this, but it was during the last period of time I was in the basement.

Mr. HUBERT. What was your understanding, Chief, as to who, if any individual or group of individuals was responsible for carrying out the transfer movement?

That is to say, considering that the decision had been made by Chief Curry as to how it would be done, what route would be followed, what automobiles would be used, what personnel would be used, who was to implement that by carrying out the orders; if there was any one individual or not, then who had responsibility for the various segments?

Chief BATCHELOR. The homicide bureau was responsible for actually transferring the prisoner. This was supplemented, as far as the guards in the basement were concerned, with a large number of detectives which had been told by Chief Stevenson earlier to stand by in the bureaus for assignment in the basement, and we came down to see about security and learned that Talbert had anticipated this thing.

And Chief Stevenson talked to Talbert. They sat there in the jail office and talked a while and found out what Talbert had assigned in terms of men that he had called in to assign along the route on Main Street.

And later he changed these men. He assumed that they were going down Main Street, and he changed them, I believe, to Elm Street. Sent a supervisor down the street to tell them to move over a block.

And I came down there and found security in the basement going into the jail office. That is in the records bureau section. There were guards in there. There was a guard on the stairway that leads up to the first floor.

I came into the basement and found a large number of officers in the basement. The cars were all gone. There were not over three or four cars in the entire basement.

Chief Curry's car had been pulled out and put on Commerce Street, double parked to lead the group, and I pulled my car up and parked it on Commerce Street west of the ramp.

His car was parked east of the ramp and mine was parked west of the ramp. Now this was done prior to the time that we knew or that I knew or I think even Chief Curry knew that there was going to be any change of plans.

We had anticipated this in terms of using the armored truck to be followed by cars of detectives and to be followed by myself and Chief Stevenson in the rear car, but of course this never developed.

Mr. HUBERT. Do you remember whether Captain Fritz or anyone else made any inquiry of you or of anyone else, to your knowledge, prior to the movement as to whether things were ready to go in the basement area before starting from the third floor?

Chief BATCHELOR. I am told that he called Lieutenant Wiggins in the basement and asked him if he was ready. He called him, I think, from the jail floor, not from his office. He called him when Oswald was up in the jail.

Mr. HUBERT. Now when the transfer party did appear, you were actually moving toward the armored car, as I recall it, then weren't you, to close the door?

Chief BATCHELOR. No; I actually saw Oswald come through the door. Someone shouted "Here he comes." I looked over and saw him come out the door, and then I turned and started up the ramp. I didn't see the shooting. I turned before.

Mr. HUBERT. Do you recall if Captain Fritz or anyone else called to find out if the situation was all right securitywise?

Chief BATCHELOR. I don't know, because I wasn't in the jail office. I was out. I am told that he called down and Lieutenant Wiggins said that almost immediately the elevator came down. And he said, "Is everything all right?" And started walking with the prisoner. And Wiggins said that he doesn't recall whether he answered him or whether—I mean it just happened so quickly, or whether he went out ahead of him.

Mr. HUBERT. Were the armored car people told of the change of plans?

Chief BATCHELOR. No, sir.

Mr. HUBERT. Do you know what was proposed to get the truck out of the way?

Chief BATCHELOR. The driver was in the truck. I would have shouted to him.

Mr. HUBERT. That was the plan, that you were to call to him?

Chief BATCHELOR. This wasn't a plan. This is what I would have done. He was there. I knew he was there. And as soon as I ran up to close the thing, why I would have shouted. But after the shooting, I didn't shout, and the truck wasn't even moved. We had to move it to let the ambulance out.

Mr. HUBERT. But your thought was that since the plans had been changed, the truck had to be gotten out of the way, and since you were the only one down there who knew other than Stevenson, you would have gotten the truck out of the way?

Chief BATCHELOR. I would have gotten the truck out, just like I would have told him to close the door and let's go.

Mr. HUBERT. Now do you recall whether immediately prior to the shooting the detectives and other police officers in the basement had side arms, pistols drawn? Did you see anybody with a drawn gun?

Chief BATCHELOR. The only person I saw with a drawn gun was after the shooting. I looked up. There was a great deal of confusion and a lot of shouting immediately after the shooting, and a group of these reporters started to run up the Main Street ramp, and the officer at the top of that ramp, I recall

very vividly him pulling his gun and waving it across this way and saying, "Get back down that ramp."

Mr. HUBERT. That was Vaughn, was it not?

Chief BATCHELOR. Yes; and they turned around and came back down.

Mr. HUBERT. Did any of the police personnel in the basement area have any shotguns?

Chief BATCHELOR. Not visible. The homicide cars had shotguns.

Mr. HUBERT. But they weren't visible?

Chief BATCHELOR. No.

Mr. HUBERT. So far as you know, Sheriff Decker did not know that there was a change of plan from the use of the armored car to the use of the homicide car?

Chief BATCHELOR. I don't know whether he was called after the change of plans or not.

Mr. HUBERT. This was not announced?

Chief BATCHELOR. He knew he was to have some men at the gate to open the gate to the jail driveways of the county to let this armored car in, and the instructions were for Lieutenant Pierce, who drove the car out, was to get out around in front, to take this truck on beyond and not go in, drive right on down Houston Street with it. And whether Sheriff Decker was ever told of the change of plans or not, I don't know, but I kind of doubt it.

Mr. HUBERT. Chief, do you know of any type of pressure of any sort whatsoever which was put upon the police department or any member of it to allow free press coverage of the transfer?

Chief BATCHELOR. If you mean that any individual or any press group came and pressured anyone into that, I don't know of any. Just the general pressure of the whole press barging in there and being in there was about the only thing.

Mr. HUBERT. Do you know of any pressure put upon you or anyone else by officers or officials of the city higher than you to allow the press to be present in the way they were?

Chief BATCHELOR. No, sir.

Mr. HUBERT. What is your estimate of what the number of press people and the general condition created by their presence, contributed to the failure of security? Of what the presence of the news media and the number of them contributed to the failure of security?

Chief BATCHELOR. Of course if we had taken him out in secret without anyone knowing about it, including the press, it is possible that this might not have happened. But I can't say that the press caused any breakdown in security. From what we know now, believing that Oswald came in the Main Street entrance——

Mr. HUBERT. You mean Ruby?

Chief BATCHELOR. I mean Ruby came in the Main Street entrance, our weakness in security lay in allowing him to come down that ramp in the first place.

Had the press not been in the basement at all, and assuming that Ruby slipped into the basement, then he might have been detected more readily.

If people had not been standing across the Main Street ramp, there would have been no place for him to screen himself. But the actual fact of the press being there is hard to say that this caused the breakdown in the security, in my opinion.

Mr. HUBERT. As I understand it, you were—when I say you, I mean the police department and of course including you—you were aware of threats being made or having been made toward Oswald, isn't that correct?

Chief BATCHELOR. Yes; I was aware of it.

Mr. HUBERT. As I understand it, the threats were in the nature of mass action rather than single-man action?

Chief BATCHELOR. Yes; that was what the anonymous report was, and it is my opinion that a hundred men, as suggested by the threats, could not have gotten into the basement, whereas one person slipping in there accomplished it.

Mr. HUBERT. Do you remember any conversation with Chief Curry or others at which you were present or took part, in which the subject was raised that the number of people there in the basement made single action, or action by a single man more difficult to deal with than otherwise?

Chief BATCHELOR. I think it is logical to assume that.

Mr. HUBERT. Well, more specifically, do you remember a discussion of the possibility that some member even of the police department who was unsteady might, as a single-man action, take some such action?

Chief BATCHELOR. I don't recall a discussion about that.

Mr. HUBERT. Do you remember whether you yourself or anyone else that you know of adverted to the possibility that the number of people involved increased the risk of single-man action, but that the plan went ahead as a calculated risk?

Chief BATCHELOR. I don't recall that that was discussed. I am sure that we all assumed that there is a risk in such matters, because we could have possibly taken him out in secret and avoided the press.

Mr. HUBERT. Was that considered at all, taking him out in secret?

Chief BATCHELOR. I don't recall a discussion of it myself. I am sure that Chief Curry and the rest of us possibly felt that the press had been allowed in the quarters and they got in there quite by, or were in there long before we got back from the President's assassination. They were there when we got there, when we returned to the office.

Mr. HUBERT. That is on November 22?

Chief BATCHELOR. Yes; and we had gone that far with them, and I suppose it was a matter of tacit understanding that they had been allowed to report the news as it developed, and in keeping the public aware, perhaps it was felt that they should be allowed to complete, if that is the word to use, their reporting on the actual transfer. This, however, was never discussed. This is just a little mental browsing on my own. I don't know that that is the way everybody felt, but it is the way it was done at any rate.

Mr. HUBERT. You were aware, of course, of, I think it is called General Order No. 81 and a supplement concerning press releases?

Chief BATCHELOR. Yes; I am aware of that.

Mr. HUBERT. I think that the general tenor of those directives is that they shall cooperate with the press to the extent that such does not interfere with police operations?

Chief BATCHELOR. Yes.

Mr. HUBERT. Did you ever consider that the chaotic condition, that I understand existed from what I have learned, constituted interference, or did you think so?

Chief BATCHELOR. It wasn't for me to say, Mr. Hubert, whether they should or should not be there. They were kept, as far as possible, out of the bureaus in which the investigation was going on. They were in the hallways.

We have never thought it wise to try to hide from the press the course of investigation except as it might interfere with the further investigation of a crime.

We have at the end of the hallway in the CID, the pressroom. When we remodeled the city hall, we purposely had glass doors put in all the bureaus and in the offices so that there could be no accusations that underhanded things or unlawful force or intimidations were used against these people.

We have always considered that the press was entitled to know the news, and that as long as it didn't interfere with the course of an investigation, we have allowed them out at the scene of crimes, but have kept them back from places where they might disturb evidence and this sort of thing. But have never tried to exclude them from knowledge of what was going on.

We make offense reports on every crime that is committed, and these offense reports are subject to being looked at by the press. They go over them nearly every morning looking for stories.

Sometimes they will find one that they want to ask someone about. We have always tried to cooperate with the press.

Mr. HUBERT. It is your thought then that the mass confusion which has been described, which existed in the hallway of the third floor at least, did not actually interfere with Captain Fritz' investigative steps excepting insofar as it made it difficult to move Oswald?

Chief BATCHELOR. Well, it increased the difficulties; yes, but it didn't actually interfere with the investigation. It added to the confusion, but as far as

the press, some of the things that added to the confusion were all of the various agencies that had an interest and all trying to carry on a simultaneous investigation. This within itself added to the confusion.

This was a highly unusual type of crime and we are really not set up for procedures whereby you allow every other agency to come in and go through all of your evidence in the fashion that it was here, because of the press of time and so on.

It was a most difficult investigation, but I don't think the press materially interfered with the investigation itself. They made things difficult by asking a lot of questions and taking up a lot of people's time and this sort of thing, but they were not allowed in the homicide bureau.

Mr. HUBERT. All right, Chief Batchelor, I don't believe that there has been any conversation between us which has not become the subject of the actual recorded transcript here, and the rules of the Commission require that I get your concurrence in that.

That is to say, that we have not discussed anything, have we, off the record that has not become a part of the record?

Chief BATCHELOR. No, sir; not that I know of.

Mr. HUBERT. All right, sir, have you anything else to comment upon or add in any way?

Chief BATCHELOR. No, actually the things that we discussed today were pretty much along the lines of the things that I gave a previous deposition on. There may be some little variance in exact times or exact sequence, but it is pretty hard to remember all those.

Mr. HUBERT. Well, thank you very much. I appreciate your coming in.

Chief BATCHELOR. Thank you, sir.

TESTIMONY OF JESSE E. CURRY

The testimony of Jesse E. Curry was taken at 11:15 a.m., on July 13, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Leon D. Hubert, Jr., assistant counsel of the President's Commission. Sam Kelley, assistant attorney general of Texas and Dean Robert G. Storey, special counsel to the attorney general of Texas were present.

Mr. HUBERT. This is the deposition of Chief of Police Jesse E. Curry. Chief Curry, my name is Leon Hubert. I am a member of the advisory staff of the general counsel of the President's Commission.

Under the provisions of Executive Order 11130 dated November 29, 1963, and the joint resolution of Congress No. 137, and the rules of procedure adopted by the President's Commission in conformance with that Executive order and the joint resolution, I have been authorized to take a sworn deposition from you, among others.

I state to you now that the general nature of the Commission's inquiry is to ascertain, evaluate and report upon the facts relevant to the assassination of President Kennedy and the subsequent violent death of Lee Harvey Oswald.

In particular as to you, Chief Curry, the nature of the inquiry today is to determine what facts you know about the death of Oswald and any other pertinent facts you may know about the general inquiry, and I understand you have appeared here by virtue of a letter received from Mr. J. Lee Rankin, general counsel of the staff of the President's Commission, and I think that was received by you sometime last week?

Chief CURRY. Friday.

Mr. HUBERT. Friday. Do you remember what date it had on it?

Chief CURRY. No; I don't.

Mr. HUBERT. Well, as you know, every witness is entitled to a 3-day written notice from the date of notice, which in this case is very probably more than 3 days, but the rules also provide for a waiver of that notice, and I take it you are willing to testify without it?

Chief CURRY. Sure.

Mr. HUBERT. Would you stand and raise your right hand? Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Chief CURRY. I do.

Mr. HUBERT. Chief Curry, your deposition has already been taken by me some months ago, and also you have appeared before the Commission.

The purpose of this deposition is simply to clarify a few points that have come up in studying those depositions and the statements.

We have information of which you are aware that Chief Talbert—

Chief CURRY. That is Captain Talbert.

Mr. HUBERT. Captain Talbert initiated certain security measures on the morning of November 24. Is it your understanding that he was given any specific instructions, or was he just following the normal security precautions?

Chief CURRY. Chief Batchelor and Chief Stevenson went down for the purpose of giving specific instructions, but when they arrived in the basement, he had already begun to set up security, so they didn't just say "hold everything and let me give you this order." They saw it was being taken care of.

He had assumed command of the security and they just discussed with him then what was being done, but no specific order was issued to Captain Talbert "you go set up security in the basement."

Mr. HUBERT. Do I understand from that, that you had a conversation with Stevenson and Batchelor concerning the overall security problem?

Chief CURRY. Up in the office, in the administrative office we had been talking, and Chief Batchelor or Chief Stevenson—one, I don't recall which, said "Let's go check the basement", which I took to mean check the security of the basement.

Mr. HUBERT. Was there a general discussion about the overall plan of the transfer, or who was it that worked it out?

Chief CURRY. In general, it was worked out between myself, Chief Stevenson, Chief Batchelor, and Captain Fritz. Now I mean all of us discussed this. Not together, but I don't recall who was present at each time something was mentioned, but I think that Chief Stevenson and Chief Batchelor were present, and I think in discussing it with Captain Fritz I was alone—that is, no other chief was present.

Mr. HUBERT. When were the details of the transfer worked out? I mean the plan of transfer, how did it come about?

Chief CURRY. What part exactly do you refer to?

Mr. HUBERT. For instance, a decision as to when and how and who would be involved?

Chief CURRY. As to when, would be made by Captain Fritz, because he was questioning the suspect and it was up to him to determine when he was ready to transfer Oswald.

He had told me the day before that probably by 10 o'clock on this morning he would finish questioning Oswald and would be ready for a transfer.

However, as you know, he was not ready at 10 o'clock, and we didn't try to rush him or encourage him to speed it up. But on Sunday morning after the threats against Oswald's life had been received, Chief Stevenson, Batchelor and myself decided that for security purposes it would be advisable to transfer Oswald in an armored truck.

However, after these were obtained and provisions made to get, that is to get the armored car, and discussing it with Captain Fritz, he proposed to transfer him in a car with himself and some detectives for the purpose of maneuverability in the event that someone did try to get the prisoner from them.

It was then decided that the armored car would still be used, the same route followed by the armored car and the escort vehicles, but that the prisoner Oswald would be placed in a plain detective car with Captain Fritz and two other detectives, and with a car of detectives following.

They would cut out of the group of vehicles as we crossed Main Street, and would proceed west on Main to the county jail. They would proceed west on Main to Houston Street, make a right turn and go into the county jail.

The rest of the vehicles, including the armored cars, would proceed west on

Elm Street to Houston Street, and turn south, but they would not go into the county jail building.

Mr. HUBERT. Were any of those plans such as the route that would be used and the method discussed or formalized in any way at all prior to Sunday morning?

Chief CURRY. No.

Mr. HUBERT. I think you had a conversation with Sheriff Decker on Sunday morning. Do you remember the time of that, approximately?

Chief CURRY. No, sir; I don't.

Mr. HUBERT. As I recall it, at that time it was not yet determined who was going to move him, is that correct?

Chief CURRY. That's right.

Mr. HUBERT. In the conversation with Decker, or during that conversation, it was decided that it would be your responsibility to move him, is that correct?

Chief CURRY. As I recall the conversation, I told Sheriff Decker that we were ready for him to have the prisoner, that you can come after him when you want to.

And at that time he said, "I thought you were going to bring him to me."

And I said, "Well, either way you want it." I said, "If you want us to bring him, we will bring him to you." This is not an unusual procedure at all.

Mr. HUBERT. So it was after that then, and it could not have been before that, that any plans of your own began to take shape?

Chief CURRY. Security of the basement could; yes, because regardless of who took the man, the basement had to be secured. The particular route that would be followed would not be decided upon until that time, but this is no problem.

We knew we had to go west on Main Street or Elm Street to get to the county jail, but we did, after it was decided that we would transfer him, make that plan to place more men on the Elm Street route to be sure that the convoy that would be en route would not in any way be hindered.

Mr. HUBERT. In other words, you considered it your responsibility to secure the basement, irrespective of who actually moved him, you or the sheriff?

Chief CURRY. That is true; yes.

Mr. HUBERT. Was consideration ever given to any other route than through the basement?

Chief CURRY. Not through the basement?

Mr. HUBERT. Yes.

Chief CURRY. Not that I recall.

Mr. HUBERT. Do you remember visiting the basement with Chief Batchelor and Chief Stevenson?

Chief CURRY. I seem to recall that one time we were there together, but as I remember they were in the basement as I drove in coming to work.

Mr. HUBERT. That would have been before you called Decker?

Chief CURRY. Yes.

Mr. HUBERT. I think at that time you or perhaps Chief Batchelor ordered certain cameras to be removed that were in the hallway. Do you recall that?

Chief CURRY. I told Chief Batchelor or Stevenson or someone that those cameras will have to be moved.

Mr. HUBERT. They were in the hallway leading from the jail office down into the basement?

Chief CURRY. Yes.

Mr. HUBERT. Did you direct where they should be moved to?

Chief CURRY. Yes.

Mr. HUBERT. Where was that?

Chief CURRY. Well, if you are familiar with the basement, there is a driveway entering from Main Street. You would be traveling south. As you near the end of the ramp where you would make a turn to the left and go east to go into the parking area, there are some guardrails that would protect people from stepping off of the ramp into the basement.

Mr. HUBERT. They separate the ramp from the basement?

Chief CURRY. From the parking area; yes, sir, and I instructed, I believe it was Lieutenant Wiggins, who was standing there, to have a patrol car and

a patrol wagon, which might be referred to as a paddy wagon, moved from the first two spaces, and have the television cameras set up there. If they, the news media, wanted to set them up, they would have to be set up there.

Mr. HUBERT. At that time it had not been decided whether Oswald would be transferred by armored car or by your police car, or for that matter, by the sheriff?

Chief CURRY. That's correct.

Mr. HUBERT. Do you remember whether anyone gave any orders to the effect that press media and all authorized persons there should be kept on the east side of the rail that you just described, and not in the ramp area?

Chief CURRY. That's right.

Mr. HUBERT. That order was given, do you remember?

Chief CURRY. At the time, I instructed that all the press would be behind the guardrail—all the news media.

Mr. HUBERT. Was any request made by anybody that they should be allowed to stand on the west side of the rail?

Chief CURRY. Not to me.

Mr. HUBERT. Was it your thought all the way through that they were being kept on the other side?

Chief CURRY. Yes.

Mr. HUBERT. Now, as I understand it, of course, the plans were formulated by yourself and Batchelor and perhaps Stevenson, and after you learned that Sheriff Decker was agreeable to your bringing the prisoner over, or it was agreed that you would, the plan of carrying him there by armored truck was first discussed, and later that was changed. That was the plan. Who was in charge of actually executing the plan?

Chief CURRY. I don't suppose any one particular man would have been charged with the responsibility of the entire movement.

Chief Stevenson and Chief Batchelor and Chief Lumpkin, all of these men went into the basement immediately prior to the transfer, and each would have had responsibility to correct anything that was amiss.

Mr. HUBERT. All were aware of the plan?

Chief CURRY. Yes.

Mr. HUBERT. To use the armored truck which had meanwhile pulled up as a decoy and carried out as you described a few moments ago?

Chief CURRY. Yes.

Mr. HUBERT. I think there has been some testimony by other people prior that an attempt had been made to reach you early Sunday morning but that the line was reported busy.

Chief CURRY. The FBI asked me about that a few days ago, and I recall that the squad that came out, or that they actually called me and said they had been trying to get me and the squad was on the way out there; and discussing this with my wife, she said that she had taken the phone off the hook sometime during the night, and that the telephone company had made some kind of noise over the phone that woke her up and told her that something was wrong with the line, and the phone was off the hook, and she replaced it on the hook.

But when I was talking to the FBI Agent Vince Drain, about this, I didn't remember just what was wrong with the telephone.

At the time, I had been up for quite awhile, and it was not my instructions to her to take it off the hook. She took it off sometime on her own initiative, she said, so we could get some sleep. That was the trouble with the phone.

Mr. HUBERT. Chief, is it possible to comment upon this? To what extent was the failure of security caused by the presence of news media in the basement?

Chief CURRY. Well, in my opinion, it afforded some concealment for Ruby after he entered the basement, the presence of these news media people.

Mr. HUBERT. You mean by that, that it was difficult to distinguish him from news people?

Chief CURRY. Yes; looking back now, I can see that, had they all been excluded, that he would have immediately been seen as an unauthorized person in the basement, and that some action would have been taken to remove him.

Mr. HUBERT. Was any consideration given to the action of the single individual in the security precautions discussed?

Chief CURRY. Was what?

Mr. HUBERT. Was any consideration given to the possible action of a single man in setting up the security measures that you did, as opposed to mob action, as I understand it?

Chief CURRY. Oh, no.

Mr. HUBERT. Your security was really directed toward mob action more than to a single-man action?

Chief CURRY. That's right. We felt that if an attempt was made on him, that it would be made by a group of people. Some of the threats that had been made during the night was, "this is a group of one hundred and we will take the prisoner before you get him to the county jail," so we really expected trouble, if we had trouble, from a group of people and not an individual.

Mr. HUBERT. Is it fair to state then that there was not any consideration given to the probability of a one-man action?

Chief CURRY. It was not discussed at all, that I know of, in our discussions of security. It was based on the fact that we thought a group of people might try to take action.

Mr. HUBERT. What I wanted to get at is this. Actually, a single-man action would, or rather protection or security against a single-man action would be virtually impossible with a mass of people around even if they were news media?

Chief CURRY. That's right.

Mr. HUBERT. Is it then that there was simply no consideration of single-man action, or that it was a calculated risk?

Chief CURRY. Well, it would have been a calculated risk, because actually we discussed the possibility of even some detective or some police officer that might be so emotionally aroused that he might try to take some action against the man, and we tried to be sure that the men we put there were emotionally stable men.

Mr. HUBERT. Who did you discuss that with?

Chief CURRY. I think it was with Chief Batchelor, and Chief Stevenson perhaps. I don't recall exactly who I discussed all of these things with.

Mr. HUBERT. Were there any pressures imposed upon you by anyone to allow the press covering of the matter that did in fact occur?

Chief CURRY. Not any particular person, but by the news media that was present.

Mr. HUBERT. Do you remember whether anyone advised against allowing the news media in the basement?

Chief CURRY. Not that I recall.

Mr. HUBERT. Was there any reason, Chief, why the plans for the transfer of Oswald were not made prior to Sunday morning?

Chief CURRY. Because we didn't particularly know when he would be transferred, and we knew that it wouldn't take a great deal of time to set up security, so we didn't see any particular need for doing this prior to the time that we did it.

Mr. HUBERT. Do you recall any conversation with Captain Fritz just prior to the move as to whether the security precautions were set up?

Chief CURRY. I can't recall. He tells me that he asked if everything was ready in the basement, and I believe that is the words he used, and he says that I said "Yes." I am sure that I told him this if he says I did, because prior to this, I had sent Chief Batchelor down to be sure that everything was ready.

Mr. HUBERT. These various officers that you mentioned would be responsible for carrying out the plan? I think you mentioned Stevenson and Batchelor particularly? They were all briefed as to the overall plan, were they not?

Chief CURRY. Yes.

Mr. HUBERT. So everyone in control knew what was going to happen?

Chief CURRY. Yes; except I believe Lumpkin. Now he didn't know until Chief Batchelor and Stevenson came to the basement that the change had been made, but Chief Batchelor and Chief Stevenson were aware of the change and Chief Stevenson told Chief Lumpkin about the change when he got to the basement. The only thing that would affect him was the fact they were going to put the prisoner in a squad car instead of the armored car, because that was the only change in the plans.

Mr. HUBERT. Do you recall the conversation with Fritz to the general effect that he did not like the idea of all the news people being in the basement?

Chief CURRY. I don't recall it.

Mr. HUBERT. There was some indication, I guess from him, that there was such a conversation, but you say you don't remember it?

Chief CURRY. I don't recall it.

Mr. HUBERT. Did you get any written reports from Archer, Clardy and McMillon in February prior to the Ruby trial, which were supplementary to the original report given to you, do you remember?

Chief CURRY. I don't recall. I would have to check my records on it.

Mr. HUBERT. I wonder if you could do that?

Chief CURRY. If you will give me their names, write them down for me.

Mr. HUBERT. Yes, sir; my handwriting is reputed to be very bad. Let's see, it is A-r-c-h-e-r, C-l-a-r-d-y, and M-c-M-i-l-l-o-n.

Chief CURRY. Now if this is in regard to a conversation that they overheard up in the jail between Ruby and a Secret Service agent, well, I remember getting something about that. I know someone came back and asked for some additional reports on this. Do you know what this is in regard to, this supplemental report?

Mr. HUBERT. I think they were in regard to what Ruby told them.

Chief CURRY. Down in the basement?

Mr. HUBERT. Either that, or immediately after having been brought upstairs.

Chief CURRY. Yes, sir; that is true. This was in the presence of Secret Service Agent Sorrels; yes.

Mr. HUBERT. The statements we would like to have are any other written statements made by them probably in February, but in any case prior to the Ruby trial and after their original statements were made in connection with the general order that everyone should make a statement to you. Do you remember that that was done? Do you recall the message from Mr. J. Edgar Hoover asking that the police not disclose the results of the FBI investigation with reference to Oswald?

Chief CURRY. I don't recall ever having received a direct communication from Hoover.

Mr. HUBERT. Do you remember anything about any FBI request coming to your attention indirectly that the FBI investigation would not be revealed?

Chief CURRY. What part of the investigation?

Mr. HUBERT. Any part. I mean was there any such communication, that you remember, at all from the FBI?

Chief CURRY. I had a lot of communications from local FBI who inferred that these orders were coming out of Washington, or the questions were coming out of Washington about various things, insisting that the evidence be shipped up there immediately, and the fact that we shouldn't show anything on television.

Several things of that nature, but I don't recall specifically saying that the results of this investigation should not be revealed. They did reveal a part of it, you know, about the rifle.

As you recall it, there was no evidence—pardon me. There was no part of their investigation revealed until they revealed it as I recall. I never had any contact with Hoover.

Mr. HUBERT. Do you know yourself as to what food was made available to Oswald during the time he was in the custody of the police department?

Chief CURRY. Not exactly. Our jail meals usually consist of breakfast and dinner. They usually have a cooked cereal of some kind, some stewed fruit, bread, and coffee for breakfast. For their other meal, they usually have beans cooked with some kind of meat, some kind of vegetables served, and bread and coffee.

Mr. HUBERT. Then at night?

Chief CURRY. They serve two meals a day.

Mr. HUBERT. He was treated, so far as you know, as every other prisoner?

Chief CURRY. Yes.

Mr. HUBERT. Insofar as the physical comforts were concerned, there was no distinction made between him and any other prisoner?

Chief CURRY. Except that he was placed in a cell alone, and in many cases we are not able to do this for every prisoner.

Mr. HUBERT. For the record, what is the official name of the police part of the building there? Is it called the city jail building?

Chief CURRY. The police and courts building.

Mr. HUBERT. The police and courts building?

Chief CURRY. Yes.

Mr. HUBERT. And the other building that is adjacent to it?

Chief CURRY. It is referred to as the city hall or municipal building.

Mr. HUBERT. Municipal building?

Chief CURRY. Yes.

Mr. HUBERT. Actually, they join together by a hallway?

Chief CURRY. Yes.

Mr. HUBERT. That parking area is under the municipal building, whereas the ramp is under the police building?

Chief CURRY. Yes.

Mr. HUBERT. Under the municipal building also?

Chief CURRY. Yes, sir.

Mr. HUBERT. In any case, the way these buildings are, one is the municipal building and the other is the police department building?

Chief CURRY. They refer to one as the municipal building and the other as the police and courts building. Sometimes both are referred to as "city hall."

Mr. HUBERT. Police and courts building. Let me go off the record for a moment.

(Discussion off the record.)

Mr. HUBERT. Chief, while we were off the record, I spoke to you about the police department records concerning the log made of the time when Oswald was taken from the custody of the jail personnel in your department to, say, Captain Fritz' office or somewhere else, and as I understand it, a log is kept to record the transfers in custody of prisoners, is that correct, sir?

And if a prisoner is turned over to another branch of the police department, a document called a Tempo is issued which shows the time of release, to whom released, and the time returned?

Chief CURRY. This is the procedure where the prisoner, generally speaking, leaves the security of the jail area. A Tempo is made. As long as he is in the custody of the jailers, perhaps for a visitor or for perhaps into the identification bureau, which is a part of the jail, there would be no Tempo made.

But when he leaves the jail in the custody of some other bureau, this Tempo is made.

Mr. HUBERT. Let me ask you this then. Would a Tempo be made if he had a visit with, say, his wife, his mother, or his brother?

Chief CURRY. No; but there should be a visitor's record made of this.

Mr. HUBERT. However, under those circumstances as you have described, he would still be in the custody of the jailer, and therefore there would be no occasion to have a Tempo?

Chief CURRY. Right.

Mr. HUBERT. Would that be true also when the identification bureau people took fingernail scrapings and hair specimens?

Chief CURRY. True. It would not be necessary to get a Tempo.

Mr. HUBERT. He would still be in the custody of the jail people and no Tempo would be necessary?

Chief CURRY. Right.

Mr. HUBERT. Also if Oswald made any telephone calls, would there be occasion for a Tempo on that?

Chief CURRY. No.

Mr. HUBERT. That is because the phone is in the jail area and no necessity for a Tempo?

Chief CURRY. That's right. On his arrest card there would be a record kept of any phone calls that were made. It would be entered on the card, the fact that he did go in to use the phone, and it usually shows on the card whether or not contact was made.

Mr. HUBERT. That card would also show any visits?

Chief CURRY. Yes.

Mr. HUBERT. Now if he were taken to a lineup or showup, would a Tempo be made there?

Chief CURRY. No, sir; because let me put it this way. If he was brought from the jail to go to the showup, a Tempo would be probably issued then.

Mr. HUBERT. If custody were transferred?

Chief CURRY. Pardon me, let me restate this. In a general showup, the bureau that wants a person shown up notifies the jail personnel. The jail personnel gets the people together, the wanted person and two or three others similarly dressed, or people of the same nature and general build and so forth, out of the jail and takes them to the showup and then returns them to the jail. All this time they are in the custody of the jail personnel, so it would not be necessary to make out a Tempo on it.

Now at other times the prisoner could be in custody of a certain bureau and they could decide to show him up and they could have some detectives stand in with him, and there would be no need for the jail personnel to handle it at all on this basis, nor would it be necessary to get a Tempo, because he would already be out on a Tempo.

Mr. HUBERT. Do you recall at any time that you told the news media that the basement route would be used specifically?

Chief CURRY. Not specifically.

Mr. HUBERT. Do you remember that, I think it was late on the night of the 22d or early on the morning of the 23d, there was a conversation with the press and yourself and the district attorney and Oswald in the assembly room?

As I recall it, the press had asked you "when can we see him" and so forth, and there was some discussion of how it would be done, and there was a great crowd around, and someone suggested another place. And I think you conferred with Mr. Wade, and it was decided to comply with this press request by using a larger room, to wit, the assembly room, and they all went down to it and subsequently you all came in. Was any kind of control or identification system used for entry into the assembly room?

* Chief CURRY. Not into that room; no, sir.

Mr. HUBERT. In other words, all those who were within the building or within the third floor went in?

Chief CURRY. That is where this discussion was held or where the announcement was made that there would be a showup in the police assembly room. It was made up on the third floor.

Mr. HUBERT. That was made at the request of the press?

Chief CURRY. Yes.

Mr. HUBERT. It was held really at the request of the press?

Chief CURRY. Yes, sir; I remember that I asked Mr. Wade if he thought it would be all right, and he said he didn't see anything wrong with it.

Mr. HUBERT. I understand also that you told the press that——

Chief CURRY. They must not ask any questions and try to interview him in any way.

Mr. HUBERT. Or you would terminate?

Chief CURRY. And I did terminate it very quickly, because when Oswald was brought into the room, immediately they began to shoot questions at him and shove microphones into his face, and we kept him there a very short time, and I told them to take him away, take him back up to the jail, and they did. Mr. Wade remained in the room with the reporters after that. I left when the prisoner left.

Mr. HUBERT. Now do you know of the fact that a tape recording device was placed on the telephone of Mayor Cabell to pick up really any threatening calls that might be received by him? Are you aware of that?

Chief CURRY. I believe that we did that. I think our special services bureau went to his house.

Mr. HUBERT. Is that tape recording of those calls still in existence?

Chief CURRY. I suppose it is, sure. It wouldn't be destroyed.

Mr. HUBERT. I suppose we may assume also that had there been anything of significance, it would have been reported?

Chief CURRY. Yes; I do think he had some threatening calls, but had there been something that we thought we could probably take some action on, we would have done it.

Mr. HUBERT. Now I understand that the police department got a long distance call, or what was thought to be a long distance call, on November 24, threatening Mayor Cabell, and that in fact you transmitted that information to him when you talked to him on the morning before the shooting of Oswald. Do you recall that?

Chief CURRY. I recall that there were several calls that came to our attention, but I don't remember each one of them.

Mr. HUBERT. What I was interested in, Mayor Cabell indicated that they thought that it was a long distance call, and I think they got that impression from you. Probably you got it from the operator, whoever got the call. You didn't get the call yourself? You say if it were a long distance call, it might have been possible to trace it down?

Chief CURRY. Yes.

Mr. HUBERT. But you didn't get the call yourself?

Chief CURRY. No, sir; not that I recall.

Mr. HUBERT. I wonder if you could—who would have gotten it, do you know?

Chief CURRY. I don't know. Anyone that is in the administrative office or any other part of the police department could have gotten it.

Mr. HUBERT. Do you remember who you got the information from?

Chief CURRY. No, sir; I don't.

Mr. HUBERT. Was any consideration, Chief, given to putting all the press people out of the building or out of the basement altogether?

Chief CURRY. No, sir.

Mr. HUBERT. Was any consideration given to moving Oswald by a route other than the basement route?

Chief CURRY. I think you asked me that once, and I don't recall it. There may have been some discussion, but he could have been moved in another way by getting off on another floor. As I recall it, there was some brief discussion about it, but I think, as I recall it, Fritz didn't want to move him other than in a routine manner.

Mr. HUBERT. Do you know why?

Chief CURRY. Because, as I recall it, he felt like this was the best way to do it, because if he got off on another floor, he wouldn't be protected. He wouldn't have much protection. You can't take very many men with you on a small jail elevator. I believe it was Fritz I was discussing this with; I couldn't be positive on that. As I recall it, there was some mention made of perhaps taking him out on the first floor and trying to get him outside that way, but it was decided that the best way would be to handle him through the basement.

Mr. HUBERT. What was the reason for the suggestion that he be taken through another floor?

Chief CURRY. I don't recall other than someone perhaps thought we could slip him out and it might be better to slip him out rather than to move him according to normal procedures.

Mr. HUBERT. Well, did the fact that there were so many members of the press present in the basement bear upon that question, or do you recall whether that was the reasoning that Fritz suggested?

Chief CURRY. I don't recall; no. I don't believe it was Fritz that suggested he be taken out through the first floor. I think he was opposed to it. Anyway, it was not discussed in great detail.

Mr. HUBERT. I understand there was some discussion of not going through the basement area, but using another way, and what I wanted to know was what was the reason given for that, whoever gave it?

Chief CURRY. Because of the press, I am sure.

Mr. HUBERT. And the danger that would exist from a one-man attack?

Chief CURRY. Perhaps that was in the mind of whoever suggested this. But their main thought was to avoid these reporters.

Mr. HUBERT. Chief, I don't think we have discussed anything off the record that has not been covered on the record, and it is necessary for me to close this deposition by asking you if there has been anything off the record that was

not subsequently brought on the record? My reaction is that there has not been, and I ask you if you agree with that?

Chief CURRY. I agree with that.

Mr. HUBERT. All right, do you have anything else?

Chief CURRY. Not that I know of.

Mr. HUBERT. Thank you very much, Chief.

Chief CURRY. Yes, Sir.

TESTIMONY OF M. W. STEVENSON

The testimony of M. W. Stevenson was taken at 2:15 p.m., on July 13, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Leon D. Hubert, Jr., assistant counsel of the President's Commission. Sam Kelley, assistant attorney general of Texas, was present.

Mr. HUBERT. This is the deposition of Deputy Chief M. W. Stevenson. Chief Stevenson, my name is Leon Hubert. I am a member of the advisory staff of the general counsel of the President's Commission.

Under the provisions of Executive Order 11130 dated November 29, 1963, and the joint resolution of Congress No. 137, and the rules of procedure adopted by the President's Commission in conformance with that Executive order and the joint resolution, I have been authorized to take a sworn deposition from you.

I state to you now that the general nature of the Commission's inquiry is to ascertain, evaluate and report upon the facts relevant to the assassination of President Kennedy and the subsequent violent death of Lee Harvey Oswald.

In particular as to you, Chief Stevenson, the nature of the inquiry today is to determine what facts you know about the death of Oswald and any other pertinent facts you may know about the general inquiry.

Now Chief Stevenson, you appeared today by virtue of a general request made to Chief Curry by Mr. J. Lee Rankin, general counsel of the staff of the President's Commission. In fact, under the rules adopted by the Commission, you are entitled to a 3-day written notice prior to the taking of this deposition, but the rules adopted by the Commission also provide that a witness may waive this 3-day written notice if he so wishes.

Since you have not received the actual individual 3-day written notice, I ask you if you are now willing to waive that notice and proceed with the taking of this deposition?

Chief STEVENSON. I do.

Mr. HUBERT. Would you stand so I may administer the oath? Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Chief STEVENSON. I do.

Mr. HUBERT. Chief Stevenson, you were here and previously deposed, in fact by me, on the night of March 23, 1964, at which time your personal identification and other matters of this sort were recorded, so that it is not necessary to go into that at the present time.

I merely wish to clarify certain areas and perhaps develop others which were found to need clarification or development.

Do you recall what time it was on the 24th of November, 1963, that you reported for duty at the Dallas Police Department?

Chief STEVENSON. I believe around 8 to 8:30. I wouldn't say exactly, Mr. Hubert.

Mr. HUBERT. Did you at that time meet or see Chief Batchelor?

Chief STEVENSON. Yes, sir; I saw Chief Batchelor when I arrived. I believe I was in the basement at that time. I had just driven in shortly before, or he had driven in right behind me, one of the two.

Mr. HUBERT. What occurred then between the two of you and with respect to others?

Chief STEVENSON. We looked the basement over at the time. Of course that early in the morning, there was not much activity. There was some officers in the basement. We went up to the administrative offices.

Mr. HUBERT. Why did you check the basement?

Chief STEVENSON. Because we observed the officers there in the basement and knew that the prisoner would be transferred that particular morning.

Mr. HUBERT. Do you know whether it had been decided at that time whether the actual transfer would be the function and responsibility of the police department or of the sheriff's office?

Chief STEVENSON. No, sir; I don't. I know it was later in the morning when Chief Curry did call the sheriff's office. As far as I know, at that time no plans had been finalized that we would transfer him or that the sheriff would transfer him.

Mr. HUBERT. In any case, the security precautions or measures being then set up, or which had been set up by Captain Talbert already, with reference to the basement would be applicable whether the transfer took place by you or by the sheriff, is that correct?

Chief STEVENSON. Yes, sir; as far as getting him out of the basement.

Mr. HUBERT. Would you consider then that the decision had already been made that the basement method of exit would be used irrespective of who moved the prisoner?

Chief STEVENSON. To my knowledge, that was the only one that we had considered.

Mr. HUBERT. Had there been consideration of the method of transfer prior to Sunday morning at all?

Chief STEVENSON. Not to my knowledge; no, sir. Not as to the method.

Mr. HUBERT. Do you recall a visit to the basement subsequent to that first visit when you arrived and reported for duty?

Chief STEVENSON. No, sir; I had not been in the basement prior to the time I arrived, and of course we drive into the basement.

Mr. HUBERT. I really meant subsequent to that.

Chief STEVENSON. Oh, I am sorry. Yes, we made—Chief Batchelor and I made—I would say, two trips after that.

Mr. HUBERT. Did Chief Curry go with you at any time?

Chief STEVENSON. We met Chief Curry, I believe, one time as he drove in the basement.

Mr. HUBERT. Do you recall any conversation that you or Chief Curry or Chief Batchelor had with Captain Talbert regarding what had been done securitywise to the basement or otherwise?

Chief STEVENSON. No, sir; not to my knowledge.

Mr. HUBERT. Do you know what security plans had been instituted prior to the time that Chief Curry spoke to Sheriff Decker?

Chief STEVENSON. No, sir; not to my knowledge. Nothing more than that I had instructed my detectives to stand by for assignment.

Mr. HUBERT. What assignment was it contemplated that your detectives would have?

Chief STEVENSON. That they would stand by for any assignment that might be needed in the basement at the transfer of Oswald.

Mr. HUBERT. That was irrespective of whether or not the sheriff moved the prisoner or your department did?

Chief STEVENSON. Yes, sir.

Mr. HUBERT. Now do you recall any instructions or orders with reference to the position of the press in the basement?

Chief STEVENSON. Yes; I was—

Mr. HUBERT. Go ahead.

Chief STEVENSON. I was present in the basement when Chief Curry arrived and said the doors would be kept clear across the driveway entering into the basement of the city hall proper. Then all photographers and pressmen would be kept back in the parking area proper, back behind the driveway line.

Mr. HUBERT. In other words, they were to be on the east side of the ramp altogether, is that correct?

Chief STEVENSON. Yes, sir.

Mr. HUBERT. Now was there any change in that?

Chief STEVENSON. Officially, Mr. Hubert, to my knowledge, there was not. Now there may have been some changes made on the scene when the decision was made to use a car instead of the truck. Since the truck was parked up on the ramp and would not come down and clear, there was possibly some changes made on the spot when we found the truck wouldn't come down the ramp and a car would be used for the transfer, to put them as far back north of where the car would be as possible.

Mr. HUBERT. You mean to put the press, to allow them to be there?

Chief STEVENSON. Yes; in other words, behind the car, if possible, and up the Main Street ramp on the Main Street side. I believe there was some up there; yes, sir.

Mr. HUBERT. Now you don't know who made that on-the-spot decision, as you recall it?

Chief STEVENSON. I believe possibly Captain Jones, and he talked with, I believe it was, Chief Batchelor. I am not sure as to what the last minute changes were to get them away from the immediate area there.

Mr. HUBERT. In other words, all the press people prior to the change were on the east side of the railing and on the ramp down from the east-west ramp leading into the garage parking area proper?

Chief STEVENSON. Yes, sir; they were all east of it, both the north and the south ramp.

Mr. HUBERT. Because of the change of plans which required the bringing up of automobiles to get into the ramp leading up Commerce Street, it is your thought it was necessary to alter that, and that someone did alter them to allow some of the press to be on the ramp leading toward Main Street?

Chief STEVENSON. Yes, sir; I believe that is right.

Mr. HUBERT. In fact, how many were there, do you recall?

Chief STEVENSON. No; I don't. I would say there were possibly, when I went down the last time immediately before the transfer, I would say there was possibly 20 to 30 back up the ramp.

Mr. HUBERT. Were any police officers in front of them?

Chief STEVENSON. Oh, yes.

Mr. HUBERT. Now were you present during the conversation between Chief Curry and Sheriff Decker regarding the matter of who would transfer the prisoner?

Chief STEVENSON. No, sir; I don't believe I was in the chief's office at the time he called Sheriff Decker, Mr. Hubert.

Mr. HUBERT. About when did you learn that the police department would actually accomplish the transfer itself?

Chief STEVENSON. It was shortly after he had talked to him. When he advised Chief Batchelor and I that he had called him, I believe Chief Batchelor was with me. He had called the sheriff, and the sheriff had told him that he understood we were to transfer the prisoner, and he told him if that was his wish, we would. As to what time in the morning that was, I would say that was somewhere around 9 o'clock, Mr. Hubert, the best I recollect.

Mr. HUBERT. What makes you fix it at 9 o'clock?

Chief STEVENSON. Because I know between 9 and 10 after that conversation had taken place, Chief Curry and Chief Batchelor and I was in on a part of the discussion of using an armored truck. And Chief Curry instructed Chief Batchelor to see if he could contact an armored truck company who could furnish us one. That was between 9 and 10 when that was done.

Mr. HUBERT. Your thought is that the conversation between Curry and Batchelor was before that, of course?

Chief STEVENSON. Between Curry and Batchelor?

Mr. HUBERT. And Decker, was before that?

Chief STEVENSON. Yes; that was when he found out that we would make the transfer, or when he had advised Chief Batchelor and I that we would.

Mr. HUBERT. Now there was a change of plans from that, and I would like you to state, if you would, what you know about the change of plans, when it occurred, and so forth. That is to say, the decision not to use the armored car.

Chief STEVENSON. I would say that was made, the first of my knowledge, Mr. Hubert, at approximately 11:10. I went up into the homicide bureau on the third floor. Chief Curry and Lieutenant Pierce were in the homicide bureau. Oswald was there in Captain Fritz' office. They had been interrogating him. I went into the office. Chief Curry advised me they had decided to use an automobile for the transfer and use the truck as a decoy. The automobile was more maneuverable.

I said, "O.K., sir." I turned around and went back to the basement.

Mr. HUBERT. Did he tell you any reason other than the maneuverability? That was the whole reason?

Chief STEVENSON. That's right. In view of the threats that we had had, they were going to use the truck as a decoy, and that if they did encounter a group of people on the streets, they could maneuver the car more easily and get around them. I left and went to the basement to notify the men in the basement; Captain Jones, who was my captain.

I met Chief Lumpkin in the hall, and as we went down on the elevator I advised him of the change. Reached the basement. I advised Captain Jones and Chief Batchelor. Now, I didn't advise Captain Talbert because I don't believe I saw Captain Talbert there immediately upon my arrival in the basement.

Mr. HUBERT. So that as far as you know, then the only people who knew of the change of plans was yourself, Chief Curry, Chief Lumpkin, and then you told Batchelor?

Chief STEVENSON. I told Captain Jones and Chief Batchelor and Chief Lumpkin on the way to the basement.

Mr. HUBERT. Now the two detectives, Dougherty and Brown, who were to drive the two cars, were they told what their role was to be?

Chief STEVENSON. Yes; not of my own knowledge, but I understand they had gotten their instructions before they left the homicide office that Dougherty would drive the car containing Oswald and that Brown would be in the car immediately preceding him.

Mr. HUBERT. Now Rio Pierce was told too, I suppose?

Chief STEVENSON. He was instructed to get his car and park it in front of the armored truck as if he was leading the armored truck with the prisoner.

Mr. HUBERT. Was he aware that the armored truck would not contain Oswald?

Chief STEVENSON. Yes, sir; he was in Captain Fritz' office at the time I was instructed that the change had been decided on to take him in a car and use the truck as a decoy. He was to lead the truck down Elm Street as had been planned. The car bearing Oswald would cut down west on Main.

Mr. HUBERT. Brown and Dougherty got their instructions on the third floor in Fritz' office?

Chief STEVENSON. In the homicide office; yes.

Mr. HUBERT. They went down before you did then?

Chief STEVENSON. Oh, yes.

Mr. HUBERT. And their instructions were to get the two cars facing Commerce on the ramp and behind the armored car?

Chief STEVENSON. Yes.

Mr. HUBERT. Do you recall what, if anything, Captain Fritz said when he came out of the jail office immediately prior to the movement of Oswald out of the jail office?

Chief STEVENSON. No, sir; I do not. I was not, oh, I would say I was within 25 feet or that far away from Captain Fritz when they emerged from the jail office door.

Mr. HUBERT. You don't remember whether he asked if things were clear or made any comment?

Chief STEVENSON. To my own knowledge, I don't. I was told that he did make that inquiry of possibly Lieutenant Wiggins, I believe it was.

Mr. HUBERT. What is your thought, Chief, as to what extent the failure of security which occurred was caused by the decision to allow news media into the basement?

Chief STEVENSON. That would be a little difficult question to answer. Of course looking back at it, Mr. Hubert, we can see. But we had, we felt, sufficient officers in there to secure it. And of course looking back on it now, we

can say yes. It would have been better for us if we had not had the press down there. What percent it figured, what percent of the blame you could lay to the fact that the press was down there would be very difficult.

Mr. HUBERT. Do you know of any consideration, if any consideration was given, to establishing some security measures with reference to single-man action against the prisoner rather than mob action against the prisoner?

Chief STEVENSON. Nothing more than that all the officers are instructed that in handling any prisoner charged with a serious crime they should watch for anyone and everyone, any act that might look or seem to be of a suspicious nature.

Mr. HUBERT. Well, I was thinking particularly with reference to the security of Oswald on the 24th. I mean was any consideration given, to your knowledge, of establishing some security measure against a single-man action?

Chief STEVENSON. None in particular. Nothing more than is general procedure on transfer of a prisoner of that nature, or one who has committed a crime in which some relative or friend might want to take vengeance.

Mr. HUBERT. What is that?

Chief STEVENSON. That would be that everyone be kept away from the prisoner, not be permitted to get to the prisoner.

Mr. HUBERT. Were any security measures to that end taken, do you know?

Chief STEVENSON. Nothing more than that the press, and I didn't hear this, was informed in the basement that none of them would attempt to move close to the prisoner for the purpose of talking to him or taking photographs.

Mr. HUBERT. Do you know if any consideration was given to using an entirely different route of transfer than through the basement for the purpose of avoiding the crowded condition in the basement?

Chief STEVENSON. If there was, I have no knowledge of it, Mr. Hubert.

Mr. HUBERT. Did you hear any discussion among anybody that the crowded condition in the basement might pose a greater threat by a single man than if the basement were cleared of everybody whatsoever?

Chief STEVENSON. I didn't hear that subject discussed, I don't believe; no, sir.

Mr. HUBERT. Did you ever hear of any suggestion made that the press be bypassed, as it were, and the prisoner removed in some other fashion?

Chief STEVENSON. Not to my knowledge; no, sir.

Mr. HUBERT. Did you see any officers immediately prior to the time Oswald appeared who had drawn their side arms?

Chief STEVENSON. No, sir.

Mr. HUBERT. Now I understand that the first homicide cars may have had shot-guns or riot guns in them but were not visible.

Chief STEVENSON. No, sir; none were visible, not to my knowledge. I could not see any of them. All of the homicide cars are equipped with rifles and shotguns.

Mr. HUBERT. Did you have anything to do at all with the arrangements for the obtaining of the armored cars?

Chief STEVENSON. No, sir; Chief Batchelor handled that by telephone. He consulted with me on it, but he handled it by telephone.

Mr. HUBERT. Were you present in the basement when the armored car arrived?

Chief STEVENSON. No, sir.

Mr. HUBERT. How long before the actual shooting did you go down to the basement?

Chief STEVENSON. The last time, I would say some 5, between 5 and 10 minutes, not over that.

Mr. HUBERT. In the plan to transfer Oswald down the elevator to the jail office and in the jail corridor into the automobile waiting on the ramp, was there any arrangement made so that Captain Fritz or others would give a signal or would be given a signal as to when to come through?

Chief STEVENSON. I understand—I didn't hear this—but they called down from upstairs, notified the jail sergeant that they were leaving the third floor, and that the jail elevator sergeant observed the elevator on its downward journey when he was there in the jail office. When the jail elevator door opened, Captain Fritz stepped out, followed by the men with the prisoner.

Mr. HUBERT. When you say the man in the jail office followed the elevator down, you mean he followed the lights to show the progress?

Chief STEVENSON. Observed it as it came down; yes.

Mr. HUBERT. Chief Stevenson, has there been any discussion between you and I today which has not been covered in this deposition? I mean, did we have any conversation or any discussion today that has not become a part of the recorded deposition?

Chief STEVENSON. You mean our previous deposition?

Mr. HUBERT. No; today.

Chief STEVENSON. Not to my knowledge; no, sir.

Mr. HUBERT. That is my recollection, that we simply exchanged greetings, but other than that we have not spoken except during the time that your deposition was being taken?

Chief STEVENSON. That's right.

Mr. HUBERT. Thank you very much, sir. Do you have anything you want to add or say?

Chief STEVENSON. Mr. Hubert, I don't know what it would be. I hope I have covered everything.

Mr. HUBERT. Thank you, sir.

TESTIMONY OF ELGIN ENGLISH CRULL

The testimony of Elgin English Crull was taken at 1:40 p.m., on July 14, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Leon D. Hubert, Jr., assistant counsel of the President's Commission. Sam Kelley, assistant attorney general of Texas, was present.

Mr. HUBERT. This is the deposition of City Manager Elgin E. Crull. Mr. Crull, my name is Leon Hubert. I am a member of the advisory staff of the general counsel of the President's Commission.

Under the provisions of Executive Order 11130, dated November 29, 1963, and the joint resolution of Congress No. 137, and the rules of procedure adopted by the President's Commission in conformance with that Executive order and the joint resolution, I have been authorized to take a sworn deposition from you.

I state to you now that the general nature of the Commission's inquiry is to ascertain, evaluate, and report upon the facts relevant to the assassination of President Kennedy and the subsequent violent death of Lee Harvey Oswald.

In particular as to you, Mr. Crull, the nature of the inquiry today is to determine what facts you know about the death of Oswald, and any other pertinent facts you may know about the general inquiry.

Now I understand, sir, that you have appeared here today by virtue of a letter requesting you to do so, addressed by Mr. J. Lee Rankin, general counsel of the staff of the President's Commission, is that correct?

Mr. CRULL. That's correct.

Mr. HUBERT. When did you receive that, sir?

Mr. CRULL. I would have to guess. He didn't stamp it. The letter is dated July the 8th.

Mr. HUBERT. Sometime last week?

Mr. CRULL. I received it about last Thursday.

Mr. HUBERT. That would be July 9?

Mr. CRULL. Yes.

Mr. HUBERT. All right, sir, would you stand and raise your right hand, please? Do you solemnly swear that the testimony you are about to give in this matter will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. CRULL. I do.

Mr. HUBERT. Would you state your full name?

Mr. CRULL. My name is Elgin English Crull.

Mr. HUBERT. Where do you reside, sir?

Mr. CRULL. Dallas, Tex., at 9424 Hobart.

Mr. HUBERT. What is your office?

Mr. CRULL. City manager, city of Dallas.

Mr. HUBERT. How long have you held that position?

Mr. CRULL. For 12 years.

Mr. HUBERT. How old a man are you, sir?

Mr. CRULL. I am 55. I shall be 56 on the 17th of this month.

Mr. HUBERT. Are you a native of Texas?

Mr. CRULL. No; I am a native of Louisville, Ky.

Mr. HUBERT. Have you had previous experience in the field of city management?

Mr. CRULL. I have been in the city of Dallas for 25 years.

Mr. HUBERT. In what capacity, prior to becoming city manager?

Mr. CRULL. As an assistant.

Mr. HUBERT. Assistant city manager?

Mr. CRULL. Yes.

Mr. HUBERT. Now Mr. Crull, we would like you to state, first of all, for the record, what are the duties and responsibilities, and so forth, of the city manager of the city of Dallas, the position which you have held and been associated with for some 25 years.

Mr. CRULL. The city manager, under the Dallas Charter, is the chief administrator of the city government, being charged with the overall supervision of most of the departments of the government. There are a few exceptions. Being charged with the financial control and the operation of the budget, and the operation of the different departments.

The city manager is charged with the responsibility of appointing and removing department heads, and assistant department heads, the balance of the organization being under civil service.

He is the responsible official to the city council, which is the policymaking body.

Mr. HUBERT. Did you appoint Chief Jesse E. Curry to his position?

Mr. CRULL. I did.

Mr. HUBERT. Is that a political appointment, or just how was it made?

Mr. CRULL. We don't have any political appointments. We are a council-manager government. We have no political parties as such. The national parties take no activity in Dallas.

Mr. HUBERT. If you make an appointment, does the mayor or the city council have anything to do with it by way of suggestion or rejection?

Mr. CRULL. No, sir; the responsibility for the appointment and for the performance of the appointee is with the city manager. The council does set salaries for all appointees.

Mr. HUBERT. It is possible, I suppose then, for the city council to veto your appointment by not appropriating the money for the salary, is that possible?

Mr. CRULL. It is possible. It hasn't happened in 30 years.

Mr. HUBERT. The selection of Chief Curry was your own selection?

Mr. CRULL. That is correct.

Mr. HUBERT. I take it from what you have said then, it was based upon merit?

Mr. CRULL. In my opinion; yes, sir.

Mr. HUBERT. Would you explain just what is the ordinary effect of your relationship with your department heads, including and particularly the head of the police department insofar as the administration and policies of the police department are concerned?

Mr. CRULL. The general administration is left to the chief and his staff. They are trained. The administrative polices, the general personnel regulations, and things of that nature first come out of our office to the department, and then are followed by the different departments. We do check through the budget office on any deviation in policies. Department heads request changes in policies, purchasing, financing, personnel, and operating.

In addition to that, the chief, since a police department is a delicate operation with a particularly difficult public relations problem, would discuss things which might have a particular public application so far as public acceptance.

Mr. HUBERT. Is it within your power to overrule any decision or action taken by the police department or the head thereof?

Mr. CRULL. Not any action. It would be within my power to overrule on a policy matter and on administrative matters, but of course not those things which were covered by law. Do I make myself clear?

Mr. HUBERT. Yes; but except for those duties and functions of the police department that are established by law, you would have the authority to direct the chief to do or not to do any action that you thought?

Mr. CRULL. That's right, any department head.

Mr. HUBERT. Now, Mr. Crull, I have previously handed you a document consisting of three pages, which is a report of an interview of you by FBI Agents Calvin Rice and John J. Flanagan, dated December 12, 1963, which for the purpose of identification I have marked on the first page in the right-hand margin thereof as follows:

"Dallas, Texas, July 14, 1964, Exhibit 1, deposition of Elgin Crull." I have signed my name below that, and on the second and third page I have placed my initials in the lower right-hand corner of each of those pages. *

I think you have had an opportunity to read that document, and I will now ask you if that document is correct as to the nature and effect stated in the course of that interview, and whether it reflects the facts as you remember them?

Mr. CRULL. In general, it does, but there are some details which are inaccurate.

Mr. HUBERT. Now with respect to the details, I notice that you have marked on the very last line of the second paragraph on page 1, a little mark indicating that you wish to comment on that last line. Would you state what you wish to say about it, please, sir?

Mr. CRULL. I believe that says simply that I went to the lake, to a cabin. The only change is that there is no cabin. I have a boat on the lake.

Mr. HUBERT. Other than that?

Mr. CRULL. Other than that, it is accurate.

Mr. HUBERT. Now in the next paragraph, which is the third paragraph on page 1, you have put a little mark next to the statement that you heard over the radio of Oswald having been shot.

Mr. CRULL. I did not hear it over the radio. I was called by the operator of the marina, or one of his people, I do not remember which, who had heard it over the radio.

Mr. HUBERT. Now on the next paragraph on page 1, that is to say, paragraph 4, you marked next to the fifth line and also next to the sixth, seventh, and eighth lines of that paragraph; first of all, with reference to the statement that you had selected the prior chief of police. That is to say, the chief of police prior to to Chief Curry. Do you have any comments to make about that?

Mr. CRULL. Yes; I didn't select Chief Curry's predecessor. He was selected by my predecessor or one of my predecessors.

Mr. HUBERT. The chief of police who was in office prior to Chief Curry was in that office when you became the city manager?

Mr. CRULL. That's correct.

Mr. HUBERT. You kept him on?

Mr. CRULL. That's correct.

Mr. HUBERT. Or perhaps it was thought that that was an appointment of him? But nevertheless, we have a clarification on that.

Now that sentence continues and reads as follows: That you never interfered with the operations of the police department, leaving it entirely in the chief's hands, as he did with other city departments. I think you indicated you wished to address yourself to that thought?

Mr. CRULL. I think perhaps that gives the wrong impression, that departments and department heads operate entirely on their own without any supervision at all.

Our department heads are experienced, and they do operate with a great deal of freedom, but not without control and not without consultation with the central office or manager's office.

Mr. HUBERT. Now turning to the second page in the last paragraph, eight lines from the bottom of the page, there is a reference to an individual in the report who quotes you as saying he was a yellow-sheet journalist. I think you wanted to comment on that?

Mr. CRULL. I think that phrase should be stricken, because it is not my phrase. I don't recall it, and it is not one I would use normally. I think someone has attempted to portray what I thought of the individual, has injected his phrase.

Mr. HUBERT. I guess to get the story complete, since you wish to delete the specific phrase, it might be a good idea for you to tell us what was your impression of him, in your own words.

Mr. CRULL. The publisher of this local newspaper is careless with facts, and is inclined toward the sensational. And quite frankly, says he does it deliberately in order to sell newspapers.

Mr. HUBERT. I notice that a little further down in this same paragraph there is a statement attributed to you by virtue of the fact that it in direct quotes says as follows: "I can't sell newspapers by telling the truth." Which according to this report, the FBI says you stated with regard to that interview.

Mr. CRULL. That is accurate.

Mr. HUBERT. Now I see no other marks indicating that you wish to comment upon any other part of Exhibit No. 1, so is it a fact then, that other than the corrections that have been made, it is your opinion that Exhibit No. 1 represents a true and faithful record of the interview?

Mr. CRULL. With the exceptions, I think it is accurate.

Mr. HUBERT. Now while we were on the subject of this statement which had appeared in the Oak Cliff Tribune with reference to the pressure being brought upon Chief Curry in regard to his relationship with the press, I would like for you, if you wish, to comment upon what role you played with reference to the matter of control of the press and the whole situation involving the press?

Mr. CRULL. I need some explanation. Over what period of time?

Mr. HUBERT. I am talking about the period of time from November the 22d, after the President was shot, until the 24th or 25th of November.

Mr. CRULL. After the President was shot, for quite some time I was at the control station at the site of the luncheon. When I finally returned to the city hall, I believed I reached there before the chief did—I went to my own office, and I can't say how long, later went across to the police department, which is in an adjoining building.

Mr. HUBERT. But there is a corridor?

Mr. CRULL. Yes; at that time the press had almost taken over. These were the visiting press. Our local press had been pushed off to one side, and the visitors who had made the trip here with the press, plus the television people, had flooded the third-floor corridors.

The chief's office—the television people had opened the switchboard on the corridor and their technicians had attached their equipment to the electrical system, and they were pretty well set up. I do not know, but I assume that all this happened while all the top men in the department were out on the job. There was no reason for top-level people being in the police department headquarters during the time of the Kennedy visit. They each had other assignments.

Mr. HUBERT. When you went there and saw the condition you just described, what time was it, about?

Mr. CRULL. I guess I would say it was about 3:30 in the afternoon.

Mr. HUBERT. Did you see any of the top officers of the police department there on the third floor when you arrived?

Mr. CRULL. I can't remember specifically. Later that afternoon, I talked to Chief Curry when he did return.

Mr. HUBERT. Where did that conversation take place?

Mr. CRULL. In his office in the police department.

Mr. HUBERT. How long after your return?

Mr. CRULL. I guess this was 30 or 40 minutes. About 4 o'clock in the afternoon.

Mr. HUBERT. Had you left the building and gone back?

Mr. CRULL. I had gone back to my office and come back again. He had been to the airport with the President's body. At that time Chief Curry discussed the condition of things with the press, and I agreed with him that we would continue our policy of trying to cooperate with the press.

Mr. HUBERT. Did he have a formal meeting with the press, or how did that take place?

Mr. CRULL. No; but they were—the offices are small, and the corridor is not too big, and when you move that many television men and cameras and newspaper reporters into the corridor and into the offices, there was practically no space for anybody to work.

Mr. HUBERT. Well, what I was thinking about was where this conference that you mentioned took place which apparently you witnessed between Curry and members of the press?

Mr. CRULL. No; I gave you the wrong impression. It was a conference between me and the chief, and Chief Batchelor, his assistant.

Mr. HUBERT. What was the nature of that conference?

Mr. CRULL. The general situation. This was the first time I had had a chance to talk to Chief Curry, since he had left to go to the hospital after the President was killed, and we looked at the situation, and I agreed with the chief that we would continue to try to cooperate with the press, that there would have to be some order brought into the situation, but that it was important that the police department not be put in a position in which later people could charge that this man had been beaten, and had been kept under cover, and not been allowed to see him.

Mr. HUBERT. Was any consideration given to moving the press out completely?

Mr. CRULL. No; this could have been an alternative, but we did not consider it.

Mr. HUBERT. You mentioned that there was some discussion about controlling the situation?

Mr. CRULL. We had to get them out of the offices and pushed back out into the corridor so people could work. They flooded into the chief's office and the surrounding offices too.

Mr. HUBERT. They had been in the offices of the various divisions?

Mr. CRULL. No; at the end of that particular corridor are the top administrative offices, the office of the chief, the assistant chief, and the deputy chief, the four deputy chiefs, and his clerical help, and that is the office into which they had largely flooded.

Mr. HUBERT. Was Oswald in custody on the third floor at that time?

Mr. CRULL. He was—this is hearsay—I understand in custody in the homicide bureau at the other end of the hall on the same floor.

Mr. HUBERT. Was any consideration given as to the effect of the congregation of the press in that area?

Mr. CRULL. The press was not being allowed to go beyond the midpoint in the building.

Mr. HUBERT. How was that controlled?

Mr. CRULL. There were officers there. The homicide bureau was north of the midpoint in the bureau, and there was at that time and most of the time, I understand—again I am relying on hearsay—that that part of the corridor was kept comparatively free.

Now I was there at one time, and I can't say when, when they moved Oswald from homicide back up to the jail, I believe. At that time he was brought out through the corridor and did walk with the detectives holding him through the press, which was, or part of the press.

Mr. HUBERT. Did you speak to any members of the press or otherwise gain any impression as to their attitude about what their rights were, and so forth?

Mr. CRULL. I gained an impression from talking to some of the local newspapermen who came up to me and said, "Please don't blame us for what is going on. We don't act this way."

Mr. HUBERT. Could you tell us something about what those actions were that the local press seemed to be apologizing for?

Mr. CRULL. This is something I don't know of my own knowledge at all.

Mr. HUBERT. I was thinking of what you yourself observed.

Mr. CRULL. Crowding, pushing, and attempting to take over. The free and easy use of the electrical system, which I think I noticed that most.

Mr. HUBERT. What was some example of that?

Mr. CRULL. I didn't check the details, but the switchboxes had been opened and the technicians pretty obviously had hooked on any place they could find a wire which would support the use.

Mr. HUBERT. Do you know if any fuses were blown?

Mr. CRULL. I was told that there were.

Mr. HUBERT. Did you discuss with Chief Curry or any of the top officials of the police department the problem of the safety of the prisoner?

Mr. CRULL. No.

Mr. HUBERT. Did you discuss with them the problem of the matter of the ultimate transfer of the prisoner to the county jail when and if he were charged?

Mr. CRULL. No.

Mr. HUBERT. When did you leave the police department quarters on the 22d?

Mr. CRULL. On Saturday?

Mr. HUBERT. I was thinking on Friday after this conference thing.

Mr. CRULL. I am sorry, I can't be too accurate. I imagine I finally left the city hall and periodically I checked back with the police department either by telephone or actually by walking over there. I imagine it was about 7 o'clock before we left and went home.

Mr. HUBERT. You think that in the interval before 7 o'clock, between that conference you just described and 7 o'clock, that you contacted the top officials of the police department either by walking over again or by telephone?

Mr. CRULL. Yes.

Mr. HUBERT. Was any further discussion had about the condition of the news media?

Mr. CRULL. No; the only thing I was interested in most then, of course as everyone else, was the progress being made with Oswald making the case. I was pretty well snowed in my own office by telegrams, telephone calls, and things which had come in in great numbers.

Mr. HUBERT. You say you went home about 7 o'clock?

Mr. CRULL. Yes.

Mr. HUBERT. Did you return to the municipal building or police department any more that night?

Mr. CRULL. No.

Mr. HUBERT. Did you have any further communication with them the night of the 22d?

Mr. CRULL. I have to keep this straight by days of the week.

Mr. HUBERT. This is Friday the 22d.

Mr. CRULL. This is the day of the President's death?

Mr. HUBERT. Yes.

Mr. CRULL. No; before I left the police department the last time, they told me they thought the case was pretty well wrapped up, and that there would be no particular new developments, so after I left that night, I went home that night, and the following morning I went to the lake, Saturday morning.

Mr. HUBERT. About what time did you go to the lake?

Mr. CRULL. About 10 o'clock.

Mr. HUBERT. You did not then go back to the police department?

Mr. CRULL. No.

Mr. HUBERT. So that after 7 o'clock, on Friday, you didn't have any occasion to observe the conditions in the city hall at all?

Mr. CRULL. No; not till Sunday.

Mr. HUBERT. Did you have any communication with the police department after you got to the lake?

Mr. CRULL. Not until Sunday morning.

Mr. HUBERT. At what time did you have communication, and in what way on Sunday morning?

Mr. CRULL. On Sunday morning, the specific time I can't say. A member of the marina staff called me, and said that the radio said that Oswald had been shot. So I went to the marina office and used the telephone to call Dallas. I was calling from the marina, Lake Texoma, just out of Denison, Tex. I did call the office and I talked with Chief Stevenson, and he told me, his words were, "I guess you have heard that we have lost our prisoner."

Then he told me something of the details, although it was then confused.

Mr. HUBERT. Was Oswald dead then, or did he tell you so?

Mr. CRULL. They didn't know at that time. I was talking to them at the police department, and Oswald had been moved to Parkland Hospital.

Mr. HUBERT. Do you remember what time it was?

Mr. CRULL. No; I can't say. I waited at Texoma then, a short time, until my wife came back to the lake. She had been in to Denison to church, and shortly after noon we came back to Dallas. I came to the city hall after changing my clothes at home, to the police department and talked to our mayor then and found that he had received some telephone threats, and that the police had a guard on him, that he wanted to go to Washington for the President's funeral, and that there was some concern about it. So I left the city hall and went to the home of the mayor, discussed his trip with him, decided on my own that he should have protection all the way, called Chief Curry, and suggested that he assign Lieutenant Revill, who was the head of the chief intelligence section, to make the trip to Washington with Mayor Cabell.

Over the telephone the chief did this, and I waited at the mayor's home until Revill went to his house and collected his clothes. Then, in a squad car, I went to the airport to see the mayor off on the airplane.

Mr. HUBERT. What time was that, about?

Mr. CRULL. Between 5:30 and 6 o'clock, something in that area. It was still daylight.

Mr. HUBERT. That was on Sunday, the 24th?

Mr. CRULL. That's correct.

Mr. HUBERT. Were you informed by anyone of any fears that existed concerning the safety of Oswald?

Mr. CRULL. I didn't hear this report until several days later that there had been some.

Mr. HUBERT. I think you have already stated that in your discussions with the head of the chief of police, the head of the police department on Friday afternoon between 4 and 7, that there had not been discussed or mentioned any fear concerning his safety, is that right?

Mr. CRULL. That's correct. The concern expressed was that with the whole world looking on, the thing be kept in the open as much as it could be, with a reasonable degree of security. Quarterbacking the game on Monday, apparently we were stressing the wrong point.

Mr. HUBERT. Apparently from the last part of your answer there, you mentioned that since the whole world was looking on, the press should be given as much freedom as possible? I think you mentioned consistent with security, or something of that sort?

Mr. CRULL. Consistent with the safety of the prisoner; yes.

Mr. HUBERT. Well, is it fair to say then that the actual safety of the prisoner was a matter of discussion?

Mr. CRULL. No; I don't think it would be accurate to say that it was a matter of discussion. It was mentioned, but I doubt very seriously that the staff of personnel was very concerned about it, because he was at that time safely in the homicide bureau surrounded by detectives.

Mr. HUBERT. But you say it was mentioned, the safety of the prisoner?

Mr. CRULL. I think so; yes.

Mr. HUBERT. Do you remember by whom?

Mr. CRULL. No; I don't remember exactly.

Mr. HUBERT. I think you have already said, too, that there was no discussion of the method of transfer or the danger or perils that might exist for the safety of the prisoner when that would come about?

Mr. CRULL. The method of transfer I did not discuss at all at the time.

Mr. HUBERT. And of course since you left on Saturday morning and did not communicate or have any communication with the police until after the shooting of Oswald, you knew nothing about any developments or about any threats, and so forth, that had been made to him?

Mr. CRULL. No.

Mr. HUBERT. Nor did you know what plans for transfer had been developed and were prepared to be carried out?

Mr. CRULL. No; quite frankly, I think this belongs in it. I never thought seriously of the prisoner being killed. I don't know whether others did or not, but I was concerned primarily with the case being wrapped up, and solid, so that there would be no question about who killed the President.

Mr. HUBERT. All right, sir; there is one statement I have noticed in the FBI report identified as Exhibit No. 1, on page 2, that I would like, if you would, to clarify, because it is not really clear to me. It is the third sentence in the last paragraph on the second page reading as follows, to wit: "He—that is you—stated on November 25 he issued instructions to his subordinates and to Chief Curry and the police department to make no comments concerning these matters. Insofar as he knows, these instructions have been followed." I would just like to get a clarification of what you had in mind. It is not clear to me.

Mr. CRULL. This may be inaccurate in my timing. This came immediately after the shooting of Oswald and the delivery of Ruby to the county jail. A problem for the district attorney's office, and for the Commission, and at that time the press had announced that President Johnson had announced that he would name such a Commission. He had actually named Chief Justice Warren to head it. I am not certain.

And my instructions were that no police officer make any comment, that no evidence be released by any police officer, that it would all be turned over to the district attorney for his control, and I talked to the district attorney by telephone and told him my instructions. This was on Monday. Later, whether it was the same day or the following day, the district attorney told the chief of police that he preferred that that responsibility go to the—what is now known as the Warren Commission. I don't believe any member of the police department, but with one exception, has yet violated the instructions on statements.

Mr. HUBERT. Mr. Crull, as you know, there has been at least one statement to the effect that Chief Curry was "taking the wrap for higher-ups who insisted that Oswald be transferred in daylight hours in order to accommodate the press and other news media."

Do you know anything about that at all, sir?

Mr. CRULL. So far as I am concerned, the higher ups would have to be either the city manager or the mayor. So far as the city manager is concerned, Chief Curry was given no instructions whatsoever as to the transfer, and I feel quite confident that Mayor Cabell didn't.

For two reasons, One, he says he didn't, and the other, that under the charter, the city manager's responsibility for the chief of police and the mayor doesn't give direct orders. I think the statement is completely untrue.

Mr. HUBERT. Do you know of anything that would indicate that Mayor Cabell or any of the members of the council did exercise any kind of pressure whatsoever on Chief Curry?

Mr. CRULL. I know of nothing, and I feel certain that it didn't occur.

Mr. HUBERT. And you did not at all?

Mr. CRULL. That's correct.

Mr. HUBERT. All right, sir; is there anything else you would like to add?

Mr. CRULL. No; I guess not. Nearly all my knowledge is of course hearsay. I have no direct knowledge.

Mr. HUBERT. All right, sir; then let me close the deposition with the usual question. Am I correct in stating that nothing has been discussed between us at any time since we first met, which was today, that has not become subsequently a part of this deposition by being reported?

Mr. CRULL. That's correct.

Mr. HUBERT. I certainly thank you, sir.

Mr. CRULL. Thank you.

Mr. HUBERT. Glad you came by.

TESTIMONY OF J. W. FRITZ

The testimony of J. W. Fritz was taken at 9 a.m., on July 14, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Leon D. Hubert, Jr., assistant counsel of the President's Commission. Sam Kelley, assistant attorney general of Texas, was present.

Mr. HUBERT. This is the deposition of Capt. J. W. Fritz. Captain Fritz, my name is Leon Hubert. I am a member of the advisory staff of the general counsel of the President's Commission.

Under the provisions of Executive Order 11130 dated November 29, 1963, and the joint resolution of Congress, No. 137, and the rules of procedure adopted by the President's Commission in conformance with that Executive order and the joint resolution, I have been authorized to take a sworn deposition from you.

I say to you now that the general nature of the Commission's inquiry is to ascertain, evaluate and report upon the facts relevant to the assassination of President Kennedy and the subsequent violent death of Lee Harvey Oswald.

In particular as to you, Captain Fritz, the nature of the inquiry today is to determine what facts you know about the death of Oswald and any other pertinent facts you may know about the general inquiry.

Captain Fritz, I understand that you are appearing here today by virtue of a request made by Mr. J. Lee Rankin, general counsel of the staff of the President's Commission, to Chief Curry asking that certain members of the police department, including yourself, be present here.

In fact, under the rules adopted by the Commission, every witness is entitled to a 3-day written notice before his deposition can be taken, which you have not had, at least directly from the Commission.

On the other hand, the rules also provide that you may waive that 3-day written notice, and I ask you now whether you are willing to have your deposition taken now and therefore waive the notice?

Captain FRITZ. I could tell you what happened over there. Is there any question that I need advice on before I answer these questions? As far as I am personally concerned, I don't know of anything that I need any advice on, but if you think that it is proper that I have advice or counsel, I would be glad to do what you think is necessary.

Mr. HUBERT. I don't think so, sir. Of course it is difficult for me to determine that question. Let me put it this way.

Captain FRITZ. I don't know of anything that I am hesitant to talk about, or anything that I wouldn't care about telling you.

Mr. HUBERT. If there is any time in the course of the deposition that you would rather have advice on before you proceed, just say so and we will stop at that point and let you have advice.

Captain FRITZ. I can't think of anything that I need advice on, but if you know something I don't know, just tell me.

Mr. HUBERT. I don't know. I don't believe there is either, but it is hard for me to tell whether you do or not.

Captain FRITZ. I know nothing about this entire case that the truth won't fit better than anything else. I don't know of anything to be hesitant about, unless there is something I haven't heard of.

Mr. HUBERT. To come back to the question, are you willing to waive the 3-day written notice that normally you are entitled to?

Captain FRITZ. Yes, sir; I am willing. If there is nothing other than just the facts of what happened over here at the time of the assassination, I don't care for telling you anything about that.

Mr. HUBERT. That is all we are going to talk about.

Captain FRITZ. All right, then.

Mr. HUBERT. All right, will you raise your right hand? Do you solemnly swear that the testimony you are about to give in this matter will be the truth, the whole truth, and nothing but the truth, so help you God?

Captain FRITZ. I do.

Mr. HUBERT. Captain Fritz, you are——

Captain FRITZ. You have my previous testimony before the Commission?

Mr. HUBERT. I don't believe I do, but I was going to state this, that you have appeared before the Commission and given testimony there, and I think your qualifications and your position and various statistics concerning yourself were included in that. Therefore, I don't believe it is necessary for us to include any of that material here.

You are a captain of the Dallas police force in charge of the homicide division?

Captain FRITZ. Yes. Homicide and robbery.

Mr. HUBERT. And have been for how many years? Many years?

Captain FRITZ. Many years; yes, sir.

Mr. HUBERT. There are a couple of matters that I would like to ask if you know. It may be that you do not know at all. Can you tell us either from your own knowledge or from what would be normal under the circumstances, what food was afforded to Oswald from the time he was arrested on through, if you know?

Captain FRITZ. What food was furnished him?

Mr. HUBERT. Yes.

Captain FRITZ. Of course the food in the jail, I wouldn't know anything about. I don't have anything to do with the food in the jail.

I didn't remember in the beginning until someone reminded me that we fed him what he would eat while he was there at the office while we were talking to him.

Mr. HUBERT. That was Friday on November 22 in the afternoon?

Captain FRITZ. Yes, sir; in the afternoon. He didn't want a great deal. He didn't eat very much, but we brought him what he would eat and drink. I believe he drank coffee a couple of times. I didn't remember those things until the officers reminded me in the office. We do that for almost all prisoners.

Mr. HUBERT. Did he have supper at the usual hour that day?

Captain FRITZ. I am not sure about that.

Mr. HUBERT. Do you know anything else about the other meals that he may have had during the Saturday and Sunday?

Captain FRITZ. Saturday and Sunday, I don't know. I wouldn't know about any food other than the things that were brought into the office.

Mr. HUBERT. In other words, that would be strictly up to the jail personnel?

Captain FRITZ. Yes, sir; that's right. They take care of the food in the jail.

Mr. HUBERT. He was returned, I think, and the records would show that, to the jail at mealtimes? In other words, the interrogation was stopped?

Captain FRITZ. I am not sure. I am not even sure about what time their mealtimes are in the jail, and they might not have been. They could have been or could not, but I do know that after being reminded of it by the officers, he was given anything he wanted to eat or drink while he was there in my office in the way of milk or coffee or anything of that nature.

Mr. HUBERT. We also note that an attorney, Mr. H. Louis Nichols, connected with the Dallas Bar Association, came to see Oswald at some time. Do you know anything about that as to when he came?

Captain FRITZ. I heard of that, of course, but he didn't come to my office. He went to the chief's office.

Mr. HUBERT. In any case, the interview between Oswald and Mr. Nichols did not take place when the prisoner was in your custody?

Captain FRITZ. No, sir.

Mr. HUBERT. I understand also that at all times when the prisoner was in your custody, he was on what is called a "Tempo" in the police department? That is to say, a release from the jail custody to the division custody, and also showed the return of the prisoner?

Captain FRITZ. Well, I would have to look at the record to tell whether that is true, but you know he was brought to my office when he was arrested. It is entirely possible he had never been to jail when he was in my office first, so he naturally wouldn't be under a Tempo, and he was there for some time before he went to jail.

Mr. HUBERT. But after he——

Captain FRITZ. Then every time we bring him out, he would be on a Tempo; yes, sir.

Mr. HUBERT. There was an assembly of the press held late at night of the 22d or possibly early morning of the 23d to which Oswald was brought. Chief Curry and Henry Wade were there, and there were a number of press personnel there. It was held in the assembly room. Did you go to that?

Captain FRITZ. No.

Mr. HUBERT. Do you know anything about it at all?

Captain FRITZ. I knew about it. I know that the chief told me to have him

carried to the assembly room, to the showup room, and I directed some of my officers to take him down there, but I didn't attend the discussion.

Mr. HUBERT. Do you know Jack Ruby at all, or did you know?

Captain FRITZ. Did I know him before; no, sir, I did not. I never knew him before, to the best of my knowledge. That is the first time I ever saw him, when he was arrested. In fact, when the shooting happened, I thought some officer had lost his reasoning and shot that man, because of so many officers being down there.

And I asked one of the officers quickly if that was an officer that shot him, and he said it was "Jack Ruby." And I said, "Who is Jack Ruby? And he said, "He owns a club downtown."

Mr. HUBERT. What officer was that?

Captain FRITZ. I don't know, some of my officers.

Mr. HUBERT. Of course you have seen pictures?

Captain FRITZ. Several of the officers knew him, but I didn't know him.

Mr. HUBERT. You have seen pictures of Ruby and perhaps you have seen him in person since?

Captain FRITZ. Oh, yes; I have questioned him since then.

Mr. HUBERT. Can you search your memory and tell us whether you saw that same person in and about the police department, particularly the third floor, on the 22d and 23d?

Captain FRITZ. No, sir; I did not. I was very busy at that time. It is possible I could have seen him. If I did, I wouldn't have known him, because there was 200 or 300 people I didn't know.

There was a mob scene, a terrible thing, and I would have uniformed officers help me to get from my office to the chief's office, to the elevator, and back, to get through the crowd, so he could have been in that crowd and I wouldn't know it. I have heard since, he was in the crowd, and he probably was. I wouldn't have known. I would have thought he was another one of those men from the same crowd.

Mr. HUBERT. Did you have anything to do with the planning of the exact transfer of Oswald to the county jail?

Captain FRITZ. I can't say that there was a meeting of any kind planning the transfer, but if there was, I wasn't there. At the time of the transfer, when the chief told me that an armored money truck had been provided to transfer him, I know it was a surprise to me, because I had never heard of that. I had never heard of that before, and I told the chief I didn't think it was a good thing to try to move him in a money wagon, because we don't know the driver or anything about the wagon, and it would be clumsy and awkward, and I didn't think it was a good idea at all.

I had nothing to do with the setting up of the plan, until my talk with the chief just before the transfer, nor with the setting up of the security in the basement. None of that comes under my heading.

Mr. HUBERT. When did you become aware that it would be the responsibility of the Dallas Police Department rather than the sheriff's office to transfer Oswald?

Captain FRITZ. The day before the transfer.

Mr. HUBERT. You mean on Saturday?

Captain FRITZ. That would have been on Saturday, I believe. I don't want to be too positive about an hour or time, but in one of my conversations with the chief, I asked him if the sheriff intended to transfer him or if we would transfer him, and he told me that he had been talking to the sheriff and we would transfer him.

Mr. HUBERT. You are pretty sure that would have been on Saturday and not Sunday morning?

Captain FRITZ. No, sir; it wouldn't have been on Sunday morning. It would have been before Sunday morning, because some reference was made about the time of transfer.

Mr. HUBERT. What reference was made about the time of transfer?

Captain FRITZ. Well, in one of my conversations with the chief, you will see from my testimony, the chief asked me about transferring him at 4 o'clock the

day before, and I told him I didn't think we could be through with our questioning at that time.

At that time he asked me about 10 o'clock the next morning, and I told him we thought we could be ready by 10 o'clock the next morning. We went, I believe, an hour overtime with the interrogation, but we tried to finish up by 10 o'clock the next morning.

Mr. HUBERT. Is there anything that makes you certain that the decision that the Dallas Police Department would be responsible for the transfer rather than the sheriff's office, was made on Saturday rather than Sunday?

Captain FRITZ. On Saturday rather than Sunday, I am sure that it was, because I had talked to the sheriff one time myself during one of those previous days, and I made some remark to him, something about the transfer, and he told me to bring him on when we were ready; so I can't tell you exactly what conversation that was, but it was pretty well understood we were to do the transferring.

Mr. HUBERT. That was a departure from the usual system?

Captain FRITZ. We transferred a great many of the prisoners in major cases. It is not a usual thing. We don't do it every day, but we often do it in major cases. It isn't the sheriff's duty to transfer the prisoner. It is usually done by a constable.

Mr. HUBERT. You get a constable under the authority of the sheriff?

Captain FRITZ. No, sir; under the authority of the constable. That is the usual procedure. But it is not unusual in major cases where we think that certain precautions should be used, for us to make the transfer. In fact, I transferred Ruby.

Mr. HUBERT. Why is it that you do it rather than the sheriff?

Captain FRITZ. It is just a matter of safety. It wouldn't make a bit of difference with us who transferred him, just so that he was transferred safely and carefully. We don't care. The sheriff sometimes transfers them. If I call him; when I think a man is a little bit unruly, the sheriff often handles the transfer.

I started to tell you, after they are filed on, they become the sheriff's prisoner I couldn't tell you about the rules of transfer, why the constable transfers the other prisoners instead of the sheriff, but that is the usual thing.

Mr. HUBERT. Would it have been possible for you to have made the investigation and the interrogation of Oswald that was made on Saturday and Sunday morning at the county jail rather than in the homicide office?

Captain FRITZ. No, sir; that wouldn't have been good at all.

Mr. HUBERT. Can you tell us why?

Captain FRITZ. Well, there are many reasons. First our records wouldn't be there, would be one thing, and we wouldn't have the witnesses at the county jail for the lineups and would be out of contact with the office for incoming information. The city hall would be quite a distance from us. There are certain other things that might interfere with questioning at the county jail. It was bad enough where we were.

Mr. HUBERT. As a matter of fact, where you were was a pretty bad situation for it?

Captain FRITZ. Ordinarily it wouldn't be such a bad situation. It was a bad situation because of all that news media that had turned into a mob.

Mr. HUBERT. That is what I was getting at, whether or not any consideration was given to moving Oswald to the county jail actually to get away from the crowd and conduct the investigation under the conditions that wouldn't involve the crowd?

Captain FRITZ. No, sir; I don't think that would have been good at all. That would be completely away from the office and the records and the some 15 or 20 officers that were required to conduct the investigation, and we would have to move our entire organization to the county jail, which would have been impossible.

Mr. HUBERT. Now did you tell Chief Curry that you were concerned about the mass of people on the third floor?

Captain FRITZ. No. I am not sure that I spoke to him about this. I did speak to some of the officers about giving us some help in the hall, because the

people were crowding us. They did assign two uniform men to my door. I didn't have to ask for that. Some of the chiefs did that. They could no doubt see what I could see. They assigned two men to my door, and kept the door locked, and we only admitted the officers and people who should come in. Then they supplied some other officers to move the people down the hall so we could get back, because we had to go back and forth to the chief's office or to the elevator.

Mr. HUBERT. Were you aware on Sunday the 24th that there was quite a crowd of people in the basement, which was a part of the transfer route that was being planned?

Captain FRITZ. I hadn't been down there in the basement. I had been, as I told you before, real busy in my office, and we had been continuing our questioning in company with some Federal officers from the Secret Service, and FBI, and at one time the marshal was over there, and some of the postal authorities, trying to finish up our investigation as fast as we could, and I hadn't been down in the basement. But I had been down there either the early morning or the night before, and I had seen all the big lights set up in the basement and in the basement door, so when the chief told me about the transfer, I told him we ought to get rid of the lights and get the people out of the door that would interfere with our getting to the car for the transfer. After I was late getting started the chief came back to my office and asked if we were ready to transfer him, I told him "When the security downstairs was ready, we were ready." And he said, "The lights have been moved back and the people have been moved back in the basement, back of the rail, and the other people have been moved across the street." Which would have given us ample room to get into the car and get rolling with him. Once we had gotten into the car, we would have been all right.

Mr. HUBERT. Were you kept advised as to the plan of transfer on Sunday morning?

Captain FRITZ. On what part of the plan, please?

Mr. HUBERT. The route and the vehicles.

Captain FRITZ. No, sir; I was not until the chief came to my office. I suggested we move him in an unmarked car instead of that money wagon, and the chief agreed with me, but as far as setting up the protection in the basement and getting the money wagon, I had nothing to do with that. I don't know where that arrangement was made.

Mr. HUBERT. Your suggestion in regard to the crowd in the basement was really with reference to the lights and so forth?

Captain FRITZ. The lights and the people, of course. Those people were in our way every time we moved that man from my office to the jail and back. We had to push him and pull him through the crowd.

Mr. HUBERT. Did you ever make a suggestion that the people, the news media in the basement just be removed altogether so that there would be nobody there?

Captain FRITZ. I didn't handle that. I had nothing to do with the arrangement in the basement. I did ask that they be moved out of our way, and I believe there was a number of officers down there to do that.

I want to say this in fairness to the chief. As we started to leave, he told me that the people were moved across the street, and the other people were back of the railing, and I think he thought they were. I think someone must have changed his order down there. We first called down and they told us everything was all right. One of my officers called on the telephone, before we went down to the jail. I kept my officers back in the jail until I asked two officers outside the jail if the security was good, and they said it was all right. But when we walked out, they climbed over my car and we met the crowd and the officers coming forward.

Mr. HUBERT. Was that before the shooting?

Captain FRITZ. Almost simultaneous. We had already gotten out of the jail door when the shooting happened. We were only a few feet out into the basement.

Mr. HUBERT. As I understand it then, after you came out of the jail door and walked down the corridor to the car, there was a general surge?

Captain FRITZ. Yes.

Mr. HUBERT. Six or five feet?

Captain FRITZ. Probably as far as far as from here to that door.

Mr. HUBERT. That was about 8 or 9 feet?

Captain FRITZ. Well, I don't think, any more than that, probably. We probably have the measurements.

Mr. HUBERT. The fact is that as soon as you began to come out, the whole crowd surged forward?

Captain FRITZ. I had turned toward my car to reach for the door to open the rear door, and I just told the two officers to put him right here in the rear of the car when I heard the shot. Mr. Dhority was sitting at the wheel. He was backing my car back, and he was being hindered in backing the car by people getting around and behind it—both officers and other people. And as I started to reach for the door, the shot was fired.

Mr. HUBERT. As I understand it then, when you came down there, you met a condition which you had not anticipated in this sense. That it was your impression that although the news media would be down there, they would be back of that rail?

Captain FRITZ. Had they been back there, everything would have been all right.

Mr. HUBERT. It is your impression that there would be nobody on the jail side of the rail and nobody on the main ramp, Main Street ramp?

Captain FRITZ. That is right; we thought we had clearance there.

Mr. HUBERT. Now you say that when you came outside you caused Oswald and the two guards with him, Mr. Leavelle and Mr. Graves, to halt in the jail office and you went out and called out as to whether it was clear?

Captain FRITZ. A lieutenant was standing there in uniform, and I asked him, and he told me that the security was OK. A detective also gave the same answer.

Mr. HUBERT. That would be Captain Talbert?

Captain FRITZ. No; it wasn't Captain Talbert. I thought it was Captain Talbert at first but it was Lieutenant Wiggins from the jail office.

Mr. HUBERT. You said there was another officer that you asked?

Captain FRITZ. Two officers answered me. A detective answered with this lieutenant.

Mr. HUBERT. The answer was that it was all right?

Captain FRITZ. That it was all right. I presume they had been told it was all right, because of the way they answered.

Mr. HUBERT. Did you have a conversation just prior to the move about the security?

Captain FRITZ. With the chief; yes, sir.

Mr. HUBERT. Do you remember what he said and what you said about it?

Captain FRITZ. Yes. As I told you, I told him—he asked me were we ready for the transfer. Chief Stevenson and several were there. And Mr. Holmes from the Postal Inspection Office; and I believe one of the Secret Service men; and one of the FBI officers; and several of my officers.

And I told him we were ready to transfer him any time the security was ready in the basement, and he said everything is all right.

Mr. HUBERT. Did he say he would check further, or he just told you?

Captain FRITZ. He just told me. He didn't tell me how he checked.

Mr. HUBERT. But he didn't go and check again?

Captain FRITZ. I don't know. I can't answer that because he left my office. He told me that he and Chief Stevenson would meet me at the county jail.

Mr. HUBERT. Who made the decision as to the actual moment of moving?

Captain FRITZ. Of course, the chief asked me if we were ready. We got ready, because I had told him the night before we would try to be ready at 10 o'clock.

Mr. HUBERT. So you gave the signal to go?

Captain FRITZ. To these officers; yes.

Mr. HUBERT. I think there was one officer ahead of you when you all went down in the elevator?

Captain FRITZ. Lieutenant Swain went out ahead of me, and I was behind Lieutenant Swain, and then my officers and Oswald back of me, one officer on each side, and one behind him.

Mr. HUBERT. Did that group come down from the third floor?

Captain FRITZ. We all came down the inside jail elevator to the jail office, and through the jail office and around the back of the jail office. This brought the prisoner out of a side door that would put us near our car.

Had we gone out of the other door, we would have had to go through a hallway.

Mr. HUBERT. What was your concern about the news media being on the main ramp and not behind the rail?

Captain FRITZ. Well, they interfered with our movement upstairs each time we took Oswald to and from the jail, they would holler at him and ask questions and say things to him that would have a tendency to, I thought, aggravate him. I think part of it he seemed to enjoy, and part of it he seemed to be irritated about.

Mr. HUBERT. Was your concern about the news media?

Captain FRITZ. My concern was to do all I could to prevent a killing or an escape.

Mr. HUBERT. Was your concern about the news media not being on the outside of the rail, or was it concerned with fear of Oswald's safety, or simply that these people were in the way?

Captain FRITZ. Both. They were in the way, and anyone that hindered us or held us up could cause something to happen there.

We wouldn't have been taking all those precautions if we hadn't been afraid something might happen.

I had even thought of the possibility of someone trying to take the prisoner. That was the reason we handcuffed him to an officer.

In a case as serious as that, we certainly didn't want to lose him after a thing as serious as having had the President shot.

Mr. HUBERT. What I had in mind was, whether your concern was that the position and closeness and mass of the news media there presented a threat insofar as single-man action was concerned?

Captain FRITZ. We didn't know many of those people. We knew very few. We knew the local people. Many people were there from foreign countries, and some of them looked unkempt. We didn't know anything about who they were.

For that reason, we wouldn't want them up there with us at all if we could avoid it, plus the fact that the camera lights were blinding, and if you couldn't see where you were going or what you were doing, anything could happen.

We didn't think we would have lights in our eyes, but we were blinded by lights. Just about the time we left the jail office, the lights came on, and were blinding.

We got along all right with the press here in Dallas. They do what we ask. These people didn't act that way. These people were excited and acted more like a mob.

Mr. HUBERT. Did you indicate to any other officer or the chief that there were some people there that you didn't know who were unkempt and that you were concerned about who they were?

Captain FRITZ. We talked about it among ourselves; the officers. We didn't have much time for talking. Those were busy times.

We gathered all the evidence the first afternoon and the next day, and we had ample evidence to try that man the next morning if it had been necessary to try him, so the officers were busy and we were all busy, and we didn't have time for that crowd or time to make a good appraisal of them.

But I am just giving you a rough idea of how they looked. They didn't look like our local people.

Mr. HUBERT. Did you convey that information to any superior officer of yours?

Captain FRITZ. I don't suppose that I did. We remarked about them, but I wouldn't remember what the remarks were or who they were to.

It was well known to all officers. You didn't have to tell anyone on the third floor. They could see from the front office as well as they could from my office because of the large crowd located outside my office and in the entire hallway.

Mr. HUBERT. I understand that a suggestion had been made that Oswald be moved at night, possibly Friday night or Saturday night.

Captain FRITZ. Who made the suggestion? By whom, please, sir?

Mr. HUBERT. I don't know. I think it was passed on to you, and I understand that you recommended against it.

Captain FRITZ. A call at home—no, sir; I didn't exactly recommend against it. If you would ask me now, I really don't favor nighttime moves, because I can't see any further at night than I can in the daytime, and if a man shoots a man, you can see him just as far in daylight as at night, and with proper security, you should be able to move anyone through town without waiting for nightfall.

We don't go to court at night, and we take prisoners back and forth to court all the time during the daylight, so I wouldn't see any particular need to wait for nighttime.

I did have a call out to my home from a uniformed captain who told me they had had a threat which sounded very much like a trick, the FBI got a call, I believe, near the same time saying we had better transfer him, that 200 or 300 men are going to take him away from us.

I certainly wouldn't send a man out with two or three officers. Two or three hundred men could be just as bad at night as during the day.

I told him he had better talk to the chief, because he was making some preparations. And I found out later that he did. He called the chief, but I don't think he could reach him, and he decided not to transfer him, I was told.

That call came after my call from the chief asking me about the 10 o'clock transfer.

Mr. HUBERT. There have been some reports that have reached us that at the very moment of transfer, that is to say, when you were coming out, and until the shooting, that the various police officers who were lining the wall had their sidearms drawn and in their hands. Did you see anything like that?

Captain FRITZ. I didn't see anything like that as I came out. I think probably what they are telling you about, is that some of the officers drew their sidearms after the shot was fired.

Mr. HUBERT. Was there any—

Captain FRITZ. I didn't see anyone with a pistol in their hand as we came out. If we had seen that, we probably would have gone back to the jail, because we wouldn't have known what an officer was doing with a gun drawn. He had no need to have a gun out at that time.

Mr. HUBERT. Did you see any shotguns visible or riot guns?

Captain FRITZ. No, sir; I didn't. We had shotguns and rifles in my car for this transfer. I had already put them on the floor of the car where we could pick them up easily.

Mr. HUBERT. Were they visible?

Captain FRITZ. No, sir; they weren't visible. There was an officer with them.

Mr. HUBERT. Captain, I believe that is all I have. Is there anything else you can say?

Captain FRITZ. I don't know of anything other than one thing that the chief mentioned to me. He said something about someone recommended someone taking him off on the first floor of the elevator.

Mr. HUBERT. I don't think there has been any discussion this morning between us that has not been made a part of this deposition?

Captain FRITZ. I don't believe so. I think all of this is in my testimony in Washington. I feel sure that it is.

Anything else that you want to ask me about, feel free to do so.

Mr. HUBERT. Thank you very much, Captain. That is all there is to it.

TESTIMONY OF SGT. ROLAND A. COX

The testimony of Sgt. Roland A. Cox was taken at 8:15 p.m., on July 13, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Leon D. Hubert, Jr., assistant counsel of the President's Commission. Sam Kelley, assistant attorney general of Texas, was present.

Mr. HUBERT. This is the deposition of Sgt. Roland A. Cox. Mr. Cox, my name is Leon Hubert. I am a member of the advisory staff of the general counsel of the President's Commission.

Under the provisions of Executive Order 11130 dated November 29, 1963, and the joint resolution of Congress No. 137, and the rules of procedure adopted by the President's Commission in conformance with that Executive order and the joint resolution, I have been authorized to take a sworn deposition from you.

I state to you now that the general nature of the Commission's inquiry is to ascertain, evaluate and report upon the facts relevant to the assassination of President Kennedy and the subsequent violent death of Lee Harvey Oswald.

In particular as to you, Mr. Cox, the nature of the inquiry is to determine what facts you know about the death of Oswald and any other pertinent facts you may know about the general inquiry.

Now, Mr. Cox, I think you appeared here tonight by virtue of a request made to you to come by letter addressed to you by Mr. J. Lee Rankin, general counsel on the staff of the President's Commission, is that correct?

Mr. Cox. No.

Mr. HUBERT. Then you appear here, I suppose, because Chief——

Mr. Cox. Chief Batchelor.

Mr. HUBERT. Asked you to come?

Mr. Cox. Yes.

Mr. HUBERT. You are a reserve officer, I think?

Mr. Cox. That's right.

Mr. HUBERT. Under the rules of the Commission, every person who appears to have his deposition taken, as you are here tonight, has a right to a 3-day written notice to appear. But those rules also provide that you may waive that notice if you wish to do so. In view of the fact that you have not received the 3-day notice, I ask you whether you are willing to waive the notice and proceed to testify here tonight?

Mr. Cox. That's right.

Mr. HUBERT. Then I ask you to rise and I will administer the oath to you. Do you solemnly swear that the testimony you are about to give in this matter will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. Cox. I do.

Mr. HUBERT. Will you state your full name?

Mr. Cox. Roland A. Cox.

Mr. HUBERT. Where do you live, sir?

Mr. Cox. De Soto, Tex.

Mr. HUBERT. What street address?

Mr. Cox. 311 Bob White.

Mr. HUBERT. What is your occupation?

Mr. Cox. Service department, Sears Roebuck.

Mr. HUBERT. In the city of Dallas?

Mr. Cox. Yes.

Mr. HUBERT. How long have you been so employed?

Mr. Cox. Since 1946.

Mr. HUBERT. Were you on duty on November 24, 1963?

Mr. Cox. November 24, that Sunday? Wasn't November 24 that Sunday?

Mr. HUBERT. Let me put the question to you this way. Were you, during the period November 22 through 24, 1963, a member of the reserve force of the Dallas Police Department?

Mr. Cox. That's right.

Mr. HUBERT. What rank did you hold then?

Mr. Cox. Sergeant.

Mr. HUBERT. And you still do?

Mr. Cox. Yes; D-11.

Mr. HUBERT. How long have you been with the reserves?

Mr. Cox. Got my 10-year pin about 3 months ago, I imagine.

Mr. HUBERT. Were you called to duty during the weekend of the President's assassination?

Mr. Cox. That's right.

Mr. HUBERT. What day were you called to duty?

Mr. COX. I believe I worked on that Friday night and again on Sunday.

Mr. HUBERT. That was by special call, or was that your regular reserve night?

Mr. COX. No; that was a request by Barney Merle. That was what, Friday?

Mr. HUBERT. The 22d of November, and Saturday was the 23d.

Mr. COX. That would be—the third Friday is a regular night, I believe.

Mr. HUBERT. I am looking at a calendar, and it seems that the 22d of November of 1963 was the fourth Friday.

Mr. COX. No; it was not a regular night, I don't believe. I believe mine is the second Tuesday and third Friday.

Mr. HUBERT. So this was a special duty?

Mr. COX. That's right.

Mr. HUBERT. What time did you arrive on Friday the 22d?

Mr. COX. Approximately 7.

Mr. HUBERT. Were you in uniform?

Mr. COX. That's right.

Mr. HUBERT. Who did you report to?

Mr. COX. Lieutenant Merle.

Mr. HUBERT. Is he a member of the reserve, or regular?

Mr. COX. That's right.

Mr. HUBERT. Member of the reserve?

Mr. COX. He is a lieutenant in the reserve.

Mr. HUBERT. Where did you report to him?

Mr. COX. In the basement assembly room.

Mr. HUBERT. Then that was about 7 o'clock?

Mr. COX. Around 7; yes.

Mr. HUBERT. Did you receive any assignment at that time?

Mr. COX. I went out with the traffic investigator about 8 or a little after 8 o'clock.

Mr. HUBERT. Between 7 and 8, that is, the time before you went out with the traffic investigator, where were you and what were you doing?

Mr. COX. Well, I was in, I guess you would call it, I don't know what you would call it, the basement where they bring all the prisoners in.

Mr. HUBERT. In the jail office?

Mr. COX. Yes.

Mr. HUBERT. Did you ever go up to the third floor?

Mr. COX. No.

Mr. HUBERT. How long were you out on this assignment which began at 8 o'clock?

Mr. COX. We investigated one wreck, and I believe that was all, by the city car barn, and then we picked up—well, a newspaperman, I can't think of where he was from, and we went down to the records building. Well, that was a special assignment. The investigator has got to take him around with him also on the investigation of the wreck. We took him down to this records building and showed him that building, and I got in about, well, 10 something. I had a call to call home, and I got in about 10 something and made that call, and my wife wanted me to come home, so I went on home.

Mr. HUBERT. Did you see Jack Ruby that night?

Mr. COX. No, sir.

Mr. HUBERT. You were never up on the third floor at all that night?

Mr. COX. No, sir.

Mr. HUBERT. I think you knew Ruby, didn't you?

Mr. COX. I knew Ruby by working in a night club of his about 8 or 9 years ago.

Mr. HUBERT. That was the Vegas?

Mr. COX. Vegas Club on Oak Lawn, I believe.

Mr. HUBERT. When did you first meet him?

Mr. COX. First night I was out there.

Mr. HUBERT. You went out to get employment?

Mr. COX. No; I was sent by the city, special officer to the city's night club officers.

Mr. HUBERT. You were sent out there for what purpose?

Mr. COX. Keep those drunks quiet.

Mr. HUBERT. How did you come to be employed by Ruby?

Mr. Cox. Special officer. They get a night club officer assigned by the city to certain clubs to keep the trouble down.

Mr. HUBERT. So your employment by Ruby was really by way of an assignment by the city?

Mr. Cox. By the city's special services.

Mr. HUBERT. By the city?

Mr. Cox. Right. He pays them, and they pay us.

Mr. HUBERT. So you didn't receive a check or money from Ruby?

Mr. Cox. No.

Mr. HUBERT. Did you work every night?

Mr. Cox. No; Friday and Saturday most of the time. That is big nights.

Mr. HUBERT. Would you be in uniform then?

Mr. Cox. Yes, sir.

Mr. HUBERT. How long did you so work for Ruby? Over what period?

Mr. Cox. Oh, I don't know how long I worked for Ruby. It wasn't too long. Not too long. They sent me different places.

Mr. HUBERT. You say the first time you worked there was about 8 years ago?

Mr. Cox. Eight or nine. Its been a long time.

Mr. HUBERT. When was the last time?

Mr. Cox. I didn't work for him long. Maybe 3 months.

Mr. HUBERT. Just 3 months, and that was back 8 or 9 years ago?

Mr. Cox. Eight or nine years ago.

Mr. HUBERT. And you haven't seen him since, or you had not seen him until——

Mr. Cox. I have not seen him yet.

Mr. HUBERT. Do you recall whether other members of the Dallas police force went to Ruby's place during the period you are talking about when you were employed by him?

Mr. Cox. The only police that ever came there were individual squadmen and liquor control boardmen. They come in, all of them.

Mr. HUBERT. Did you observe any incidents where he served liquor to them free?

Mr. Cox. No.

Mr. HUBERT. Did he seem to be particularly friendly with any of them?

Mr. Cox. They didn't talk to him too much. They always come to the officer in charge.

Mr. HUBERT. They came to you?

Mr. Cox. That's right.

Mr. HUBERT. Now I think you said that the last time you worked out there at Ruby's place would have been——

Mr. Cox. It was around Christmas, or possibly—yes; about Christmas time. Probably New Year's, the last I worked, about 8 or 9 years ago. I tell you, it is on record at the city hall. It's just been too long.

Mr. HUBERT. You hadn't seen him at all in the time since?

Mr. Cox. No, sir.

Mr. HUBERT. Did you see him when you were on duty on Sunday morning?

Mr. Cox. No.

Mr. HUBERT. Where were you on duty then?

Mr. Cox. Commerce Street, south side.

Mr. HUBERT. What time did you come on duty?

Mr. Cox. Around 10.

Mr. HUBERT. Were you in uniform?

Mr. Cox. Yes, sir.

Mr. HUBERT. What was your duty, and who placed you on it?

Mr. Cox. Lieutenant Ben McCoy.

Mr. HUBERT. What was your specific duty at that point?

Mr. Cox. Keep pedestrians back on the sidewalk and traffic moving.

Mr. HUBERT. So you were placed then on the opposite side of Commerce Street from the Commerce Street exit?

Mr. Cox. Yes; south side.

Mr. HUBERT. What time did you go on that duty?

Mr. Cox. Must have been about 10 or 15 after 10.

Mr. HUBERT. How long did you stay?

Mr. COX. Till after 11, I imagine.

Mr. HUBERT. Well, did you stay until after the shooting?

Mr. COX. Yes, sir.

Mr. HUBERT. Were you there when the armored car came up?

Mr. COX. Yes; I held up traffic while that big one backed in.

Mr. HUBERT. What about the little one, where was it at that time?

Mr. COX. I believe the little one was parked against the curb; I believe it was.

Mr. HUBERT. Was it on the same side of the street?

Mr. COX. Yes.

Mr. HUBERT. Was it past the Commerce Street entrance?

Mr. COX. Yes; it was past the Commerce Street entrance, because there was TV trucks sitting directly in front of the city hall on Commerce.

Mr. HUBERT. Do you remember what time you actually left your post of duty?

Mr. COX. I wouldn't say.

Mr. HUBERT. About how long after the shooting did you leave?

Mr. COX. Maybe 20 minutes, until the crowd kind of dispersed.

Mr. HUBERT. Were you relieved by someone?

Mr. COX. No, sir; I mean there wasn't anything else to do when the crowd left.

Mr. HUBERT. Did you see Jack Ruby around that Commerce Street entrance at anytime?

Mr. COX. No, sir.

Mr. HUBERT. On that day?

Mr. COX. No.

Mr. HUBERT. Now there was a publication by a man named Joe Sherman of the Dallas Times Herald on November the 25th which indicated that you had seen him, which of course is contrary to what you have just told us. Could you explain anything about that?

Mr. COX. Yes; I will explain it to you. I was talking to a reserve captain in the basement. Let me think of his name. Captain Kris, I believe. We were talking about the thing happening, and also what people had said, and this news reporter went from there. In other words, that is the way he got it.

Mr. HUBERT. Did you talk to this man, Joe Sherman?

Mr. COX. Yes. He came into the conversation. Asked me if I knew Jack Ruby, and I said I said I once worked for him at that night club, the Vegas Club, and that is how that thing got in the paper. As far as me saying he had been in the basement, or how he had been in there, that was just strictly his say.

Mr. HUBERT. For the record so we get it straight, let me read to you what he said, and then I am going to ask you if that is the truth or not.

Police Sgt. R. A. Cox said he once worked for Jack Ruby as a special officer in the night club he once operated on Oak Lawn. He said that Ruby had a camera with him or when he entered the basement in the Dallas police station Sunday morning. Did you tell that to Joe Sherman?

Mr. COX. No.

Mr. HUBERT. Now I think you were about to explain.

Mr. COX. I told Kris somebody said "he even had a camera." That is how that happened. I didn't say that he had one. I said "someone said he had one."

Mr. HUBERT. Now at what time did this conversation with Kris occur which was overheard by Mr. Sherman?

Mr. COX. Well, it was after I came in out of the street.

Mr. HUBERT. I think you said you came in out of the street about 20 minutes after?

Mr. COX. About 20 minutes after; that's right.

Mr. HUBERT. You were standing where?

Mr. COX. In the basement. In fact, in that hall where it goes into the——

Mr. HUBERT. So that your point is, you did not say this to Kris, but this reporter just picked it up?

Mr. COX. Yes, sir.

Mr. HUBERT. The police reporter just heard you saying something about a camera, but did not hear you say that the people or somebody was saying that he had a camera?

Mr. COX. That's right.

Mr. HUBERT. You had heard some people say he had a camera?

Mr. Cox. Said he came in with the newsman.

Mr. HUBERT. Who did you hear that from?

Mr. Cox. Just conversation. There was a lot of talk after that happened.

Mr. HUBERT. You don't recall any particular person that you got that from?

Mr. Cox. No; sure don't. I told Captain Solomon about it after it happened, after that statement came out. I told him it wasn't true, right away.

Mr. HUBERT. When did you first learn that it was Ruby involved?

Mr. Cox. When I was in the street. It was on the radio. I was still in the street when it came over the radio that someone had shot him, and then when I walked down into the basement after I left the street, someone said that Jack Ruby had shot Oswald. That is when I first knew it.

Mr. HUBERT. When did you first hear anything about a camera.

Mr. Cox. In the basement. There were a lot of people gathered talking, a lot of officers. You know what I mean.

Mr. HUBERT. So in other words, the picture as I see it was that you picked up from somebody that there was a story that Ruby had come in as a newsman?

Mr. Cox. Yes.

Mr. HUBERT. And that statement was made to Kris?

Mr. Cox. I was talking to Kris.

Mr. HUBERT. And this reporter overheard it and painted it in that way?

Mr. Cox. That is exactly right.

Mr. HUBERT. When this came out, did you notice the incorrectness of it?

Mr. Cox. Yes, sir.

Mr. HUBERT. Did you do anything about it?

Mr. Cox. I called Captain Solomon about it.

Mr. HUBERT. Did you talk to Mr. Sherman, the reporter?

Mr. Cox. No, sir; I did not.

Mr. HUBERT. Now in this same story, which is a story dated November 25, appearing in the Times Herald by Joe Sherman, there is a further statement attributed to you which is actually a direct quote, according to Mr. Sherman, and reads as follows: "He must have had a press card with him, said Sergeant Cox. Otherwise, he wouldn't have been allowed in the basement at all. Our instructions were to keep everybody away but pressmen with proper identification." Now did you make that statement?

Mr. Cox. Yes, sir; that's right.

Mr. HUBERT. In other words, you were simply then not stating a fact, but an assumption that he must have?

Mr. Cox. That's right, because I couldn't see how he got in the basement.

Mr. HUBERT. Did you observe any security measures used to prevent entry into the basement?

Mr. Cox. Yes, sir. I observed policemen on every door at the—when I say the basement entrance, plus the entrance to the building through the basement. There was an entrance on Commerce Street where you walk down into a little hall.

Mr. HUBERT. There was a policeman stationed there?

Mr. Cox. Yes.

Mr. HUBERT. Do you know who he was?

Mr. Cox. No.

Mr. HUBERT. Was he a reserve officer?

Mr. Cox. No; a regular.

Mr. HUBERT. Who was stationed at the Commerce Street ramp entrance?

Mr. Cox. I know one sergeant. His name is Mayo.

Mr. HUBERT. He is a reserve officer?

Mr. Cox. Yes.

Mr. HUBERT. Was he there throughout the morning?

Mr. Cox. He was there when I got there. I believe his name is L. W. Mayo.

Mr. HUBERT. Did you observe any other policemen at other entrances such as Main Street?

Mr. Cox. Not on the Main Street side.

Mr. HUBERT. You don't know anything about the security within the basement?

Mr. COX. No; I was taken directly to the street to control traffic and pedestrians out there.

Mr. HUBERT. Specifically, you did not see Ruby enter that building on that day?

Mr. COX. No, sir.

Mr. HUBERT. In fact, I repeat, or you repeat you haven't seen him in some 8 or 9 years?

Mr. COX. That's right.

Mr. HUBERT. You didn't see him anywhere that day?

Mr. COX. No, sir.

Mr. HUBERT. On this story which appeared in the Dallas Times Herald on Monday, November 25, on page A-35, which also, I don't believe it is a continuation of the previous story, because that previous story appears on page A-9, and the previous story by Joe Sherman seems to be concluded on that page. The reference to you in that same edition of the Dallas Times Herald on page A-35 seems to be a continuation of another story, and it refers to you in the same way, actually, that the previous story referred to you. I am unable to tell whether it is a story by Mr. Sherman or not, or whether it is a story by anyone else, but I ask you whether or not you know of any way other than through Sherman that the story on page A-35 could have been carried regarding you, to wit, that you had worked for him and that you said Ruby had a camera with him when he entered?

Mr. COX. You mean that would be in the Sunday paper, right?

Mr. HUBERT. No; that was the Monday paper.

Mr. COX. That would be the only way.

Mr. HUBERT. In other words, you never made any kind of statement concerning Ruby except the one you have referred to already and explained? That is, the one made to, or which was overheard by Sherman?

Mr. COX. That's right; definitely.

Mr. HUBERT. This may be repeating the point, but this second apparent interview which is on page A-35, makes the flat statement that one police sergeant who worked for Ruby, and you are later identified as being that one, said that Ruby had a camera with him, indicating that you had seen him, and is it your opinion that this could only have come from the overhearing of your conversation with Kris by this writer called Sherman?

Mr. COX. Definitely.

Mr. HUBERT. In any case, to get the record straight on it, you never saw Ruby enter with a camera?

Mr. COX. No, sir.

Mr. HUBERT. Nor did you in fact say that he did?

Mr. COX. No, sir.

Mr. HUBERT. All right, Sergeant Cox, anything else you want to comment?

Mr. COX. No, sir.

Mr. HUBERT. There has been no conversation between us, I think, tonight other than that which was recorded, is that correct?

Mr. COX. That's right.

TESTIMONY OF HAROLD J. FLEMING

The testimony of Harold J. Fleming was taken at 3:45 p.m., on July 13, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Leon D. Hubert, Jr., assistant counsel of the President's Commission. Sam Kelley, assistant attorney general of Texas, was present.

Mr. HUBERT. This is the deposition of Mr. Harold Fleming. Mr. Fleming, my name is Leon D. Hubert. I am a member of the advisory staff of the general counsel of the President's Commission.

Under the provisions of Executive Order 11130 dated November 29, 1963, and the joint resolution of Congress No. 137, and the rules of procedure adopted by the President's Commission in conformance with that Executive order and the joint resolution, I have been authorized to take a sworn deposition from you.

I state to you now that the general nature of the Commission's inquiry is to ascertain, evaluate and report upon the facts relevant to the assassination of President Kennedy and the subsequent violent death of Lee Harvey Oswald.

In particular as to you, Mr. Fleming, the nature of the inquiry today is to determine what facts you know about the death of Oswald, and any other pertinent facts you may know about the general inquiry.

Now, Mr. Fleming, you appear today by virtue of a letter request made to you by Mr. J. Lee Rankin, general counsel of the staff of the President's Commission, which I understand you received as late as last Friday?

Mr. FLEMING. July 10.

Mr. HUBERT. I ask you if you would take the oath, please?

Mr. FLEMING. Yes.

Mr. HUBERT. Do you solemnly swear that the testimony you are about to give in this matter will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. FLEMING. I do.

Mr. HUBERT. Will you state your full name, please, sir?

Mr. FLEMING. Harold J. Fleming.

Mr. HUBERT. Where do you reside?

Mr. FLEMING. 10611 Lennox Lane in Dallas.

Mr. HUBERT. What is your occupation, sir?

Mr. FLEMING. I am a corporate counsel and general operations manager of Armored Motor Service, Inc.

Mr. HUBERT. Where is that company located?

Mr. FLEMING. Home offices are in Fort Worth, Tex.

Mr. HUBERT. Do you have a branch of that operation in the city of Dallas?

Mr. FLEMING. Yes; we do.

Mr. HUBERT. What is your connection with the Dallas operation?

Mr. FLEMING. I am general operations manager for the company, and the Dallas office is one of our branches. By virtue of my position, I have worked on operational problems and legal problems arising in the Dallas city branch.

Mr. HUBERT. You are a lawyer?

Mr. FLEMING. Yes, sir.

Mr. HUBERT. Would you state for the record, please, sir, the occupation of Harold Fleming and Don Goin and Edward Dietrich?

Mr. FLEMING. Did you say Harold Fleming?

Mr. HUBERT. Bert Hall. I think his name is Marvin Hall.

Mr. FLEMING. Yes; Marvin E. Hall is vice president and branch manager for our Dallas branch of Armored Motor Service, Inc. Both Goin and Ed Dietrich are employees classified as guards or drivers. Mr. Don Goin also has a title of assistant vault manager.

Mr. HUBERT. I take it that all three of these gentlemen work under your authority?

Mr. FLEMING. In a broad sense, yes. However, just for the record, the city branches are to a very large extent autonomous.

Mr. HUBERT. Well then, who was in charge actually of the Dallas city branch here on November the 24th?

Mr. FLEMING. Mr. Hall is in charge of the Dallas city branch as such when it functions in that capacity. This particular thing was a rather unusual situation.

Mr. HUBERT. Now Mr. Fleming, I think I have heretofore shown you a document which purports to be a report of an interview of you on June 26, 1964, by FBI Agent W. James Wood, which I have marked for the purpose of identification on the first page as follows, to wit: On the right-hand margin "Dallas, Texas, July 13, 1964, Exhibit No. 1, Deposition of Harold Fleming," under which I have signed my name. The document actually consists of five pages, and on the succeeding second, third, fourth, and fifth pages I have placed my initials on the lower right-hand corner, and also the fifth page only

of five lines on it. I think you have had an opportunity, sir, to read this document now identified as Exhibit No. 1, is that a fact?

Mr. FLEMING. Yes, sir.

Mr. HUBERT. I ask you now whether or not this document is a fair and correct report of the interview had between you and FBI Agent Wood?

Mr. FLEMING. Substantially that portrays the interview with some very minor qualifications.

Mr. HUBERT. Now you have indicated to me that there are some minor qualifications that you would like to note, and I turn now to page 2, the first full paragraph. I notice that you have made a small notation next to the sentence reading as follows: "Hall told me they were in possession of employees Donald Goin and Ed Dietrich." Do you have any comment to make on that?

Mr. FLEMING. Just to state that the name of Donald Goin was not mentioned in the conversation I had with Mr. Hall. The name of Ed Dietrich was discussed.

Mr. HUBERT. I notice that in the last sentence of that same paragraph, the sentence reading as follows: "Fleming said Donald Goin was telephonically contacted by Hall and given similar instructions." Do you wish to comment on that?

Mr. FLEMING. I would say that I said Goin was apparently telephonically contacted.

Mr. HUBERT. In other words, you don't know?

Mr. FLEMING. I was not aware that Goin had been contacted at the time.

Mr. HUBERT. Then I notice that on the first sentence of the last paragraph on page 2 you also had a mark indicating that you wished to comment upon it. I think your comment was with reference to a phrase there about a conference breaking up. What was the comment you had?

Mr. FLEMING. Well, it was actually a conversation that we had at the terminal. It was merely a matter of getting organized, and there was no time for conferring. It was just decided what we were going to do. That gives the inference that we may have had a long pow-wow. This was an instantaneous decision.

Mr. HUBERT. Now I turn to page 3 and I notice that in the second or middle paragraph of that page you have two lines, one I think with reference to the first sentence which begins with the words "Hall backed the truck . . ." and ends with the words ". . . with the motor running." Was that the sentence? My question is, what comment do you have to make with reference to that sentence?

Mr. FLEMING. It was not a question of being able to get the truck further into the driveway. It was the fact that had it gone down the ramp further, it would have been parked on an incline completely, and fearing that the truck could possibly stall, by reason of letting out the clutch too quickly. If we stalled, there might be a problem of getting the truck started again, because we had a small problem at the terminal in getting this truck to start initially. Just for the record, a new battery had been placed in that truck on Saturday and was one of these where the liquid has to be mixed up in the battery itself before it is fully charged, and it hadn't been moved enough and would not fully charge. We were afraid the truck might stall on the ramp.

Mr. HUBERT. Did you have any difficulty, in fact, in starting the truck when you left the terminal?

Mr. FLEMING. At the terminal we had to use a jump booster to get it started there.

Mr. HUBERT. You left the same battery in the car?

Mr. FLEMING. Oh, yes; and that is why we had the second truck with us also.

Mr. HUBERT. I gather from that, that the truck could have actually gone down further into the basement insofar as its clearance is concerned?

Mr. FLEMING. That's right; it could have gone in possibly 10 to 15 feet further.

Mr. HUBERT. It is a fact, though, that it could not have gone all the way down?

Mr. FLEMING. No; it could not, because of the pipes overhead at the lowest point of the basement.

Mr. HUBERT. Now I notice in that same paragraph, which is the third or middle paragraph, you have made a little mark next to a sentence reading as follows: "He was not part of the Oswald guard force, but was merely on duty to prevent unauthorized persons from entering and leaving the garage." Do you have a comment to make with reference to that?

Mr. FLEMING. My comment is that I was not aware of what force this officer belonged, and I am not in position to state whether he was part of the Oswald guard force. I do know that he was on the outside of the building at the entrance of the drive. This inferred that I assumed he was not part of the guard force.

Mr. HUBERT. He was in uniform?

Mr. FLEMING. He was in uniform.

Mr. HUBERT. What was his position relative to the truck?

Mr. FLEMING. He was on the passenger's side of the truck facing, with the truck facing Commerce Street, that was parked in the driveway.

Mr. HUBERT. Was he in front of the truck, or by the side of the cab, or where was he with reference to the truck?

Mr. FLEMING. He was at the side of the truck, opposite or near the cab door. But he was stationed there at the time we drove the truck in.

Mr. HUBERT. So that when you backed the truck in, that policeman was there, but you did not see him there thereafter?

Mr. FLEMING. Oh yes; he was there the whole time.

Mr. HUBERT. He was there the entire time?

Mr. FLEMING. Yes.

Mr. HUBERT. He would have been rather close then to Mr. Hall sitting in the cab?

Mr. FLEMING. He was not sitting in the cab. He was standing on the outside.

Mr. HUBERT. No; the policeman was standing on the outside?

Mr. FLEMING. That's right.

Mr. HUBERT. But I say, that policeman would have been rather close to Mr. Hall?

Mr. FLEMING. No. Mr. Hall was on the driver's side of the cab rather.

Mr. HUBERT. Oh, this was the passenger's side?

Mr. FLEMING. Yes.

Mr. HUBERT. I see. You observed he was there from the moment you all arrived until after the shooting?

Mr. FLEMING. Yes, sir.

Mr. HUBERT. How much space was there between the truck and the wall on the passenger's side?

Mr. FLEMING. On the passenger's side, there was not enough space for anyone to get through into the building, because as I got out of the passenger's side, I had to go around to the driver's side.

Mr. HUBERT. On the driver's side, how much room?

Mr. FLEMING. There was room for a person to walk between the wall and the truck.

Mr. HUBERT. I suppose we better put those dimensions in terms of feet. Take the passenger's side first.

Mr. FLEMING. I would estimate on the passenger's side the clearance was less than 6 inches. On the driver's side, I would estimate it to be around 2 feet.

Mr. HUBERT. Do you know the width of the truck?

Mr. FLEMING. Not offhand.

Mr. HUBERT. Returning for the moment to the document which has been marked Exhibit No. 1, I take it then that other than the corrections that you made, that this document represents a fair statement of the interview and represents therefore the truth, so far as you know it?

Mr. FLEMING. Yes.

Mr. HUBERT. Now I would like, if possible, for you to tell us how you fix the time of the call received by you from Chief Batchelor?

Mr. FLEMING. Well, I was in the process of shaving in order to go to church at 10 o'clock. My wife answered the telephone, and I had to come to the phone

with lather on my face. And by reason of the timing, it was between 9:30 and 9:40.

Mr. HUBERT. Did you know Chief Batchelor?

Mr. FLEMING. I had met Chief Batchelor within 30 days of this date.

Mr. HUBERT. Socially or—

Mr. FLEMING. No. I went to see Chief Batchelor on official business in that at the time we had been apprised of a city ordinance concerning the licensing of our people in Dallas. The company had operated in Dallas since 1928 without a permit to carry firearms, and being aware of that statute, I made an inquiry to determine if we had to be so licensed. And having determined that we did, we then had the wheels in motion to process our company's license, and I conferred with Chief Batchelor in an effort to clarify insurance and bond problems.

Mr. HUBERT. How long was your telephone conversation with Chief Batchelor?

Mr. FLEMING. I would estimate 3 minutes.

Mr. HUBERT. It was of of course concerning the availability of your armored trucks?

Mr. FLEMING. Chief Batchelor asked if I had been the person, or rather if I were the person who had contacted him with reference to Armored Motor Service, and I stated I had. And he said, "We would like to borrow a truck from you people for the purpose of transporting this prisoner."

Mr. HUBERT. Did you tell him that the truck would be available?

Mr. FLEMING. I told him that the truck, we would be very happy to oblige, but that it would take me sometime to make it available, because I had the problem of determining who had keys and how we could get it.

Mr. HUBERT. Did you indicate to him how long it would be before the truck would be available?

Mr. FLEMING. No; I did not.

Mr. HUBERT. How did you leave the matter then with him on that occasion?

Mr. FLEMING. I told him that I would get started immediately to locate the people who had the keys, and parenthetically I might explain that for security reasons the same person doesn't have the keys all the time. And I think neither the manager nor the assistant manager had it. In other words, to save time, I told Chief Batchelor we had several sizes of trucks, and asked that he take the measurements of the door and have them ready so that I could call him when I arrived at the terminal, to determine what size truck we should bring to transport the prisoner. And I told him I would call him as soon as I learned how soon we could be there.

Mr. HUBERT. What did you do next?

Mr. FLEMING. I then attempted to call Mr. Hall by telephone, and Mr. Paul Leonard, who is our operations manager for Dallas, by telephone. Neither was in. Then I called Mr. Tom Mastin, Jr., president of Armored Motor Service in Fort Worth, explained the commitment that I had made, and asked if he had any suggestion as to whom I might call to find out who had the keys. He suggested that Mr. Tom James, who is vice president of Armored Motor Service in semiretirement, lived next door to the church that Mr. Hall and Mr. James attended, and suggested that I call Mr. James to get Mr. Hall personally and proceed from there, which I subsequently did.

Mr. HUBERT. Did you call Mr. James and ask him to go over and get Mr. Hall from the church?

Mr. FLEMING. Yes; and he had Mr. Hall call me from the church.

Mr. HUBERT. Do you recall about how long after that Mr. Hall called you in fact?

Mr. FLEMING. It would have been within 5 minutes of my call to Mr. James.

Mr. HUBERT. Then what did you tell Mr. Hall?

Mr. FLEMING. I asked if he knew where the keys were, and he said he did not know. He thought Mr. Ed Dietrich had one set, and he would try to make some calls to find out where the other set was. I suggested that rather he give me Dietrich's telephone number, and I suggested that I would call Mr. Dietrich, and for him to get on the phone and try to locate the other keys so that we could find somebody and move quickly.

Mr. HUBERT. Could you give us an estimate of the time of your conversation with Mr. Hall relative to the time that you first spoke to Batchelor?

Mr. FLEMING. I would estimate between 8 and 10 minutes.

Mr. HUBERT. After you spoke to Batchelor?

Mr. FLEMING. After I finished talking with Mr. Batchelor.

Mr. HUBERT. Did you then call anyone else?

Mr. FLEMING. I called Mr. Dietrich. He was not in. I left a message for him to call me as soon as he got into his house.

Mr. HUBERT. Did he call?

Mr. FLEMING. He called me again within about 5 minutes, and I asked him to come directly. Asked him if he had keys, and he said, "Yes," and asked him to come directly to the Armored Motor Service terminal and meet me there.

Mr. HUBERT. Did he indicate that he had already received a call from Mr. Hall to the same effect?

Mr. FLEMING. No; he did not. We didn't discuss it. I assumed that he had not.

Mr. HUBERT. I am not saying that he did.

Mr. FLEMING. He may have received a call after. I think Mr. Hall had called the home, though, because he did indicate that he was not home.

Mr. HUBERT. Then I take it you finished dressing and went about the accomplishment of the job?

Mr. FLEMING. Yes.

Mr. HUBERT. About what time then did you get to the terminal?

Mr. FLEMING. I frankly can't state what time I got there, because in the haste I forgot my wrist watch and did not know. Judging from the route I took, however, I would estimate it took me at least 20 to 25 minutes to reach there from my house. That could put it 10:25 to 10:30, and this is strictly an estimate.

Mr. HUBERT. In other words, after you had made the several calls that you have talked about, it took you, I gather, another 15 to 20 minutes to finish dressing?

Mr. FLEMING. No. I finished shaving in the meantime, and was gone as soon as I got the call from Mr. Dietrich. It was a matter of 2 or 3 minutes before I left the house.

Mr. HUBERT. When you got to the terminal, was anyone there?

Mr. FLEMING. When I got to the terminal, Mr. Hall and Mr. Goin and Mr. Dietrich all three were there.

Mr. HUBERT. Just relate in narrative form, if you wish, what happened from the time you got there, on forward, if possible, giving us time intervals, because one of the purposes of this deposition is to fix the time.

Mr. FLEMING. Let me just meditate a minute. When I arrived, they were preparing to take a small truck on the mission, because Mr. Dietrich said that he had been in the basement of the city hall before and knew that even a small truck would not clear the overhead pipes in the basement. Based on that, Mr. Hall apparently had made a decision that we would take the small truck rather than the large one.

Mr. HUBERT. Now was it Mr. Goin, you say, or Mr. Hall?

Mr. FLEMING. I said Mr. Hall.

Mr. HUBERT. Mr. Hall didn't indicate to you that he had been to the jail on that morning, but on some previous occasion?

Mr. FLEMING. No; it was Mr. Dietrich in an armored truck. We serviced the city hall and numerous places.

Mr. HUBERT. But it wasn't on this day? It was on a different occasion?

Mr. FLEMING. No; at a time previous.

Mr. HUBERT. Go ahead then.

Mr. FLEMING. But I indicated that the small truck would not be satisfactory, having had a little experience in police work. I said we need the large truck, and suggested they look it over, clean it out, get bottles out of it, and so on. They indicated it would not start, and I suggested that we attempt to start it. Mr. Goin then got a battery and he and I, mostly he, got the thing connected, and we started the motor. In the meantime, I called Chief Batchelor and told him that we were at the terminal and we would be down shortly, and I used that term, because we had not yet got the truck started. I explained that there

was no need to give me the dimensions because our truck would not go all the way down the ramp anyhow, but we would bring a large truck that would accommodate a larger force and would be down within, I said within 10 to 15 minutes, this would have taken.

Mr. HUBERT. Did Batchelor indicate to you at that time which truck would be used?

Mr. FLEMING. No; he did not indicate to me. We were telling him what facilities we had.

Mr. HUBERT. You did in fact take both of them ultimately?

Mr. FLEMING. We took both trucks, because as I said, after we had difficulty starting this one, we were afraid that the large truck might for some reason stall, and we wanted a standby truck in the event that should happen. I would estimate that we were at the terminal from 10 to 15 minutes prior to departing for the city hall.

Mr. HUBERT. Now when you departed, what route did you take from the terminal to the city hall?

Mr. FLEMING. I can't tell you verbatim without referring to what was stated there.

Mr. HUBERT. Is it stated in there?

Mr. FLEMING. It is stated there, and we went over that on the map. That is the accurate route.

Mr. HUBERT. You are referring to page 3 of Exhibit No. 1 of your deposition, the first paragraph in which the exact route is stated?

Mr. FLEMING. Yes, sir.

Mr. HUBERT. You were riding, I think, in the passenger's seat with Mr. Hall driving?

Mr. FLEMING. That's right.

Mr. HUBERT. Now did you notice whether there was a shotgun in the usual bracket for that purpose in the car?

Mr. FLEMING. No; there was no shotgun.

Mr. HUBERT. There was no shotgun?

Mr. FLEMING. No.

Mr. HUBERT. You would have seen it had it been there, because you were seated in the passenger's seat where it would normally be, next to where it would be?

Mr. FLEMING. There were no guns in the truck.

Mr. HUBERT. When you got to the Commerce Street entrance, what did you do?

Mr. FLEMING. The truck was backed into—

Mr. HUBERT. Did you get out?

Mr. FLEMING. Not until the truck was backed into the spot where it was, where it stopped. I then got out of the passenger's side, walked around the front, and went into the basement of the city hall.

Mr. HUBERT. I think you said it was on that occasion that you noticed that it was impossible for you to go down between the truck and the Harwood Street side of the ramp wall?

Mr. FLEMING. On the passenger's side.

Mr. HUBERT. Because there simply wasn't enough space?

Mr. FLEMING. That's right.

Mr. HUBERT. So you had to go around in front of the truck and down the driver's side?

Mr. FLEMING. That's right.

Mr. HUBERT. Who did you meet there?

Mr. FLEMING. I don't know who challenged me, but somebody in plain clothes asked me who I was, and I told him, and within a matter of seconds, Chief Batchelor and I met. I don't know whether this gentleman took me to him, or he was there waiting for me.

Mr. HUBERT. Well, before we go on from there, would you care to estimate the time of arrival in front of the building and before you started to back in?

Mr. FLEMING. As I stated, I have no idea what the time was. It took us; it wouldn't have taken us more than 5 minutes to get from the terminal to the city hall.

Mr. HUBERT. You had no traffic problem?

Mr. FLEMING. No traffic problems at all.

Mr. HUBERT. Goin and Dietrich were in the other car?

Mr. FLEMING. That's right.

Mr. HUBERT. Where did they park?

Mr. FLEMING. They parked initially on the south side of Commerce Street facing east diagonally from the entrance, diagonally to the left from the entrance.

Mr. HUBERT. What did you do between the time that you first arrived until the firing of the shot? Perhaps I should ask you first, did you hear the shot?

Mr. FLEMING. Yes; I heard the shot.

Mr. HUBERT. Then from the time you arrived until you heard the shot, would you tell us what you did?

Mr. FLEMING. After I met Chief Batchelor, we both got into the back end of the truck, and Chief lifted the mattresses from the bunks and inspected the rear and asked about a mechanism we had there which was a hydrovac brake, and I explained to him that was a brake for the back end so that the men from the rear could control the brake system of the car in the event of a holdup, and he commented, "We don't want him to sit over here, and we will put him on the other side." I had the keys and I couldn't unlock the door to what we call the money compartment or the center compartment of the truck. I have been speaking previously of the rear compartment where the men stay.

I then left Chief Batchelor and went around to the outside, opened the door to the center compartment, and then opened the door from the center compartment to the rear from that side so that it could be opened in the event that they wished to have a guard force in the center compartment of the car. I then went to the street and talked to Mr. Goin and explained that I thought that their car possibly should go first, not having had any instructions from anybody, and sort of watch the police car and determine where to go. I went back inside, again went in the truck for some reason, I don't know, and again came to the outside. At that point there was a squad car in front of our parked armored truck, and I asked the officer if his was going to be the lead car, and he said, "So far as I know; yes." Well, I was going to ask this other armored car to go ahead, so I then went to Mr. Goin and suggested that he follow the larger truck.

Mr. HUBERT. Mr. Goin was at that time seated or standing by the smaller truck?

Mr. FLEMING. He was standing by his truck. From that point, I don't know why, I went over to the front of our truck toward the passenger's side, and it was at that point that I heard the noise that sounded like a cap pistol.

Mr. HUBERT. When you first noticed the police car in front of the truck in the street, was it just coming up, or was it already in place?

Mr. FLEMING. It was parked in front of our armored truck.

Mr. HUBERT. You were standing in front of your armored truck?

Mr. FLEMING. I was standing over on the passenger's side of the armored truck after I had talked with Goin about his relative position to our truck once we started to move.

Mr. HUBERT. What I was thinking about is, that prior to talking to Goin, you had seen the police car parking, you said, that you spoke to the driver?

Mr. FLEMING. I came out. When I came out, the car was parked in front of our truck, and I asked the officer driving if he was going to be the lead car.

Mr. HUBERT. So that you walked from across the sidewalk to the car?

Mr. FLEMING. No, no. The police car was backed into the driveway.

Mr. HUBERT. Parked in the driveway and headed out?

Mr. FLEMING. The back end of the car was up against the front bumper of our truck, so to speak.

Mr. HUBERT. So you simply walked to the driver's seat and asked him what he was going to do, and he told you what he said?

Mr. FLEMING. Then I crossed the street diagonally to talk to Goin, who was standing on the outside of his car.

Mr. HUBERT. How far was Goin from you when you were standing talking to the officer?

Mr. FLEMING. Well, the width of the street. Place it diagonal, and he would be about three car lengths.

Mr. HUBERT. In other words, the car was on the other side of the street?

Mr. FLEMING. About three car lengths forward of our position, so it would be the width of the street, plus whatever it would be.

Mr. HUBERT. Then you walked back?

Mr. FLEMING. I walked back.

Mr. HUBERT. Now, during all the time that you were at the Dallas police jail, from the moment when you first arrived, did you see anyone going down the driver's side of the space between the armored car and the wall?

Mr. FLEMING. No; I did not.

Mr. HUBERT. Are you in a position to say that had anyone walked down that space, you would have seen him?

Mr. FLEMING. Most likely. There were no people at all on that side of the street, save one colored lady at one point, and I don't know whether this was before or after the shooting, but everyone else was on the sidewalk on the opposite side of the street.

Mr. HUBERT. Did you know Jack Ruby?

Mr. FLEMING. No; I did not.

Mr. HUBERT. You have, of course, since that time seen pictures of him, I suppose?

Mr. FLEMING. Yes, sir.

Mr. HUBERT. Movies perhaps, or television?

Mr. FLEMING. Yes.

Mr. HUBERT. Do you recall whether you saw Jack Ruby or any person resembling him at any time around there on that date?

Mr. FLEMING. I did not.

Mr. HUBERT. Were you aware on that morning, or does your memory serve you now in that regard as to whether there was one or more TV mobile unit vans parked on the same side of Commerce Street as you were, but in the Harwood Street direction?

Mr. FLEMING. As I recall, I observed one.

Mr. HUBERT. Did you see any people walk up to that car?

Mr. FLEMING. No; I did not. After I heard the shot, an individual came up to me and asked me what happened. And I don't know, he was a little excited, and I was not in position to know, and subsequently I went inside. He could have been from the mobile TV group, I don't know.

Mr. HUBERT. Could you give some sort of description of that individual?

Mr. FLEMING. No.

Mr. HUBERT. Did you see any police guard or guards in the space or protecting the space in any way between the driver's side of the armored car and the wall?

Mr. FLEMING. Not on the outside of the building.

Mr. HUBERT. There was some on the inside?

Mr. FLEMING. When I went in, someone challenged me as to my identity.

Mr. HUBERT. Do you know whether that person stayed there?

Mr. FLEMING. I don't know. I just know when I went in three times, I was questioned.

Mr. HUBERT. You have mentioned that you went in and out a couple or three times, and you now state to me that each time you went in or out, you were questioned?

Mr. FLEMING. Yes; I was challenged.

Mr. HUBERT. That were on the driver's side of the van?

Mr. FLEMING. On the inside of the quarters. Not on the outside.

Mr. HUBERT. Was it the same person that challenged you each time?

Mr. FLEMING. No.

Mr. HUBERT. What did the challenge consist of?

Mr. FLEMING. "Who are you? What do you want?" And I merely explained that I was with the armored car. Of course the officer, whoever was there, had seen me visiting with Chief Batchelor, and they knew as soon as I mentioned that as to my identity, I presume.

Mr. HUBERT. Well, I believe that is all. Do you have anything else you want to say that you think is either pertinent or of interest to the general inquiry?

Mr. FLEMING. I can't think of anything.

Mr. HUBERT. I am sure we have not met before today?

Mr. FLEMING. That's right.

Mr. HUBERT. We did have a short conversation off the record prior to beginning the recordation of your testimony, but I ask you if it is not a fact that everything that was discussed off the record was subsequently discussed on the record?

Mr. FLEMING. It was.

Mr. HUBERT. All right, sir, thank you very much.

TESTIMONY OF DON EDWARD GOIN

The testimony of Don Edward Goin was taken at 7:10 p.m., on July 13, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Leon D. Hubert, Jr., assistant counsel of the President's Commission. Sam Kelley, assistant attorney general of Texas, was present.

Mr. HUBERT. This is the deposition of Mr. Donald Goin.

Mr. GOIN. Don E. Goin.

Mr. HUBERT. Don? It is not Donald?

Mr. GOIN. No.

Mr. HUBERT. Don E. Goin [spelling] G-o-i-n.

Mr. Goin, my name is Leon Hubert. I am a member of the advisory staff of the general counsel of the President's Commission. Under the provisions of Executive Order 11130 dated November 29, 1963, and the joint resolution of Congress No. 137, and the rules of procedure adopted by the President's Commission in conformance with that Executive order and the joint resolution, I have been authorized to take a sworn deposition from you, among others.

I say to you now that the general nature of the Commission's inquiry is to ascertain, evaluate and report upon the facts relevant to the assassination of President Kennedy and the subsequent violent death of Lee Harvey Oswald.

In particular as to you, Mr. Goin, the nature of the inquiry today is to determine what facts you know about the death of Oswald and any other pertinent facts you may know about the general inquiry.

Now Mr. Goin, you appear today by virtue of a letter request made to you by Mr. J. Lee Rankin, general counsel on the staff of the President's Commission. You received such notice?

Mr. GOIN. Yes.

Mr. HUBERT. When did you receive it?

Mr. GOIN. I received it Thursday.

Mr. HUBERT. That would have been the 9th?

Mr. GOIN. I believe so.

Mr. HUBERT. I think you have it in your hand there?

Mr. GOIN. Yes.

Mr. HUBERT. Does it bear a stamp that indicates the date?

Mr. GOIN. Mailed the 8th.

Mr. HUBERT. From Washington, D.C.?

Mr. GOIN. Yes.

Mr. HUBERT. Now will you stand and raise your hand and take the oath?

Do you solemnly swear that the testimony you are about to give in this matter will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. GOIN. I do.

Mr. HUBERT. Will you state your full name?

Mr. GOIN. Don Edward Goin.

Mr. HUBERT. Where do you reside, sir?

Mr. GOIN. 1510 Crockett Circle.

Mr. HUBERT. Dallas?

Mr. GOIN. Carrollton, Tex.

Mr. HUBERT. You just moved there, I think, today?

Mr. GOIN. Yes.

Mr. HUBERT. Your former address is 1800 Leonard Avenue?

Mr. GOIN. No; that is my business address.

Mr. HUBERT. Oh, that is your business address. That is where you received the letter?

Mr. GOIN. Yes; that is right.

Mr. HUBERT. But your home address is as you just gave it?

Mr. GOIN. Yes.

Mr. HUBERT. What is your occupation, sir?

Mr. GOIN. Armored car operator.

Mr. HUBERT. How long have you been so occupied?

Mr. GOIN. Approximately 3 years.

Mr. HUBERT. What organization?

Mr. GOIN. Armored Motor Service Co.

Mr. HUBERT. Who is your immediate superior with that organization?

Mr. GOIN. Bert Hall.

Mr. HUBERT. That is, Marvin E. Hall is the actual name?

Mr. GOIN. That's right.

Mr. HUBERT. Do you know Mr. Harold Fleming?

Mr. GOIN. Yes.

Mr. HUBERT. Who is he?

Mr. GOIN. The position with the company, one of the personal administrators. He has another position as general operations manager, I believe, something like that.

Mr. HUBERT. I was inquiring about your activities in connection with the use of armored cars on November 24, 1963, in an anticipated plan and movement of Lee Harvey Oswald from the Dallas city jail to the county jail. In the first place, let me ask you, had you been to the police department at all on November 24 until you went with the armored car later?

Mr. GOIN. This was the Sunday morning in question?

Mr. HUBERT. Yes.

Mr. GOIN. No; I had not.

Mr. HUBERT. How did you first learn that your services would be needed on that Sunday, November 24?

Mr. GOIN. Telephone call.

Mr. HUBERT. From whom?

Mr. GOIN. From Hall.

Mr. HUBERT. At what time?

Mr. GOIN. I don't remember exactly.

Mr. HUBERT. What, approximately?

Mr. GOIN. I think it was 9 or 10 o'clock in the morning.

Mr. HUBERT. Were you at home?

Mr. GOIN. Yes; at home.

Mr. HUBERT. What did Mr. Hall ask or direct you to do?

Mr. GOIN. Asked if I would come to the office; meet him at the office.

Mr. HUBERT. Did he tell you what it was about on the phone?

Mr. GOIN. No; he didn't.

Mr. HUBERT. Did he express to you the necessity for being there quickly?

Mr. GOIN. I honestly don't recall. I just told him that I would be able to meet him there.

Mr. HUBERT. Did you immediately leave your home?

Mr. GOIN. Yes; in a matter of minutes.

Mr. HUBERT. Is there any way at all you can think of of fixing the time you left your home?

Mr. GOIN. No; I don't believe so, not exactly.

Mr. HUBERT. Would you say that it was within 5 minutes after you finished your telephone conversation with Mr. Hall that you did leave your home?

Mr. GOIN. I believe it would be about closer to 20 minutes after. As I recall, I was in the process of shaving and I finished shaving and dressing.

Mr. HUBERT. Where did you live at that time?

Mr. GOIN. 6329 Denham Court, Dallas.

Mr. HUBERT. Did you drive your own automobile down to the terminal?

Mr. GOIN. Yes; I did.

Mr. HUBERT. The terminal is located where?

Mr. GOIN. 1800 Leonard Street.

Mr. HUBERT. Do you remember what route you followed in going from your home to the terminal?

Mr. GOIN. Yes.

Mr. HUBERT. Would you state what it is, please?

Mr. GOIN. The expressway into town across Good-Latimer.

Mr. HUBERT. What expressway?

Mr. GOIN. South Central. Followed the freeway to South Central.

Mr. HUBERT. Then South Central to what?

Mr. GOIN. To Good-Latimer.

Mr. HUBERT. Good-Latimer?

Mr. GOIN. Good-Latimer.

Mr. HUBERT. Good-Latimer to what?

Mr. GOIN. Let's see, Bryan to Fairmount, and to the office.

Mr. HUBERT. Fairmount to Leonard?

Mr. GOIN. No; Fairmount goes by the office, on the other side of the office.

Mr. HUBERT. How long did you estimate it took you to drive from your home to the terminal?

Mr. GOIN. Approximately 15 minutes.

Mr. HUBERT. Do you remember about what time you got there at the terminal?

Mr. GOIN. No; I don't, offhand.

Mr. HUBERT. Was anyone there? Were you the first to get there?

Mr. GOIN. No; Mr. Dietrich was there, and I believe Mr. Hall also.

Mr. HUBERT. So was Mr. Fleming there?

Mr. GOIN. I can't truthfully say.

Mr. HUBERT. In any case, two people were there before you?

Mr. GOIN. I believe so.

Mr. HUBERT. What did you proceed to do then after you arrived? What happened?

Mr. GOIN. I talked with Mr. Hall and was advised what we were going to do. I had guessed what we would do, but I had not been advised before then what we would do.

Mr. HUBERT. How long after you got there did Mr. Fleming arrive, do you know?

Mr. GOIN. I can't advise you there.

Mr. HUBERT. What happened next?

Mr. GOIN. We got keys to the armored trucks.

Mr. HUBERT. Where were the keys?

Mr. GOIN. In the office.

Mr. HUBERT. They weren't kept on your person or the person of Mr. Dietrich?

Mr. GOIN. No; I don't believe so. They are kept in the office itself.

Mr. HUBERT. In a safe?

Mr. GOIN. In security; yes.

Mr. HUBERT. You had keys to the office, though?

Mr. GOIN. No; I didn't.

Mr. HUBERT. Who had the keys to the office?

Mr. GOIN. I imagine Mr. Hall.

Mr. HUBERT. In any case, the office was opened and the keys to the truck or trucks were obtained?

Mr. GOIN. Yes.

Mr. HUBERT. Who actually obtained those keys?

Mr. GOIN. I don't recall that.

Mr. HUBERT. You didn't do it yourself then?

Mr. GOIN. I don't believe so. I may have. I don't recall distinctly, I am sorry.

Mr. HUBERT. Were the keys in a safe with a combination?

Mr. GOIN. No. Our office is a security lock.

Mr. HUBERT. So the keys were in a box on a string or something?

Mr. GOIN. On a keyboard in the office.

Mr. HUBERT. Did you all enter the office prior to the arrival of Mr. Fleming, or after?

Mr. GOIN. I can't really tell you that.

Mr. HUBERT. What did you do, or what did the others do then? First of all, you got the keys, and the next thing that happened was what?

Mr. GOIN. I believe we got the trucks and prepared to leave. There was a little delay in some phone calls, I don't remember, by Mr. Hall or Mr. Fleming. I can't really say what was involved. I remember Mr. Dietrich now waiting a while.

Mr. HUBERT. Would you give us an estimate of how much time elapsed between the time you arrived at the terminal and the time you began to move to the city jail?

Mr. GOIN. Probably a half hour, I should say, possibly. I don't recall. I haven't put any thought on this, I am sorry.

Mr. HUBERT. Was there any difficulty in starting either of the two trucks?

Mr. GOIN. Yes; there was. Let's see, I believe truck no. 46 had a new battery and consequently hadn't been serviced properly or serviced with water and had to be used, what we call service cabled from another battery.

Mr. HUBERT. To get the motor started?

Mr. GOIN. Yes.

Mr. HUBERT. Was that truck No. 46 the larger or the smaller of the two trucks?

Mr. GOIN. Yes; it is our largest truck at present.

Mr. HUBERT. Did you have anything to do with the starting up of the truck, larger truck No. 46?

Mr. GOIN. I don't recall.

Mr. HUBERT. But you do recall that it was necessary to use another battery with cables to get it started?

Mr. GOIN. Yes; it was.

Mr. HUBERT. But who did the actual work of putting the other battery on to the necessary parts of the truck to get the truck started?

Mr. GOIN. I really can't give you an honest answer there.

Mr. HUBERT. You don't know whether you did it yourself?

Mr. GOIN. I may have been a part of it, but I don't distinctly remember doing it, I am sorry.

Mr. HUBERT. But you do remember that the front hood was opened so that the battery could be started?

Mr. GOIN. Yes.

Mr. HUBERT. How much of a delay did that occasion, do you know?

Mr. GOIN. Not exactly. Probably 15 minutes. It would be an estimate, I am sorry.

Mr. HUBERT. How did you travel from the terminal to the city jail?

Mr. GOIN. In—I was trying to think what truck number—in the other truck.

Mr. HUBERT. In the smaller truck?

Mr. GOIN. Yes.

Mr. HUBERT. Were you driving?

Mr. GOIN. I believe I did.

Mr. HUBERT. Who was with you?

Mr. GOIN. Mr. Dietrich.

Mr. HUBERT. Did you precede the larger truck, or follow it?

Mr. GOIN. I don't remember exactly.

Mr. HUBERT. Do you remember the route that was used to go from the terminal?

Mr. GOIN. Ross Avenue to Harwood, down Harwood to the Commerce Street parking on Commerce.

Mr. HUBERT. When you got to Commerce Street, where did you park?

Mr. GOIN. I parked past the city jail, back exit.

Mr. HUBERT. There is an exit from the city jail coming up from the basement which comes out on Commerce Street?

Mr. GOIN. That's right.

Mr. HUBERT. You say you had come down Harwood and turned left onto Commerce?

Mr. GOIN. I parked past the exit.

Mr. HUBERT. Did you park on the Main Street side of Commerce or the opposite side?

Mr. GOIN. I parked on the north side of Commerce.

Mr. HUBERT. Now the north side of Commerce would be to the right of Commerce or to the left, as you were going?

Mr. GOIN. As I were going, it would be to the left.

Mr. HUBERT. Did you park ahead or in back of the larger truck?

Mr. GOIN. The larger truck backed into the dock.

Mr. HUBERT. In other words, was it ahead of you at that point, or behind you?

Mr. GOIN. I don't remember exactly whether I followed him or whether he followed me.

Mr. HUBERT. Well, you parked on the same side of the street of Commerce Street as the exit, is that correct?

Mr. GOIN. Yes; that is correct.

Mr. HUBERT. You did not park on the opposite side of the street where the people were congregating, or did you?

Mr. GOIN. No.

Mr. HUBERT. Well now, when you parked there, did you ever move again until ultimately you moved away after the shooting?

Mr. GOIN. No; not that I recall.

Mr. HUBERT. In other words, your car was parked then past the Commerce Street exit from Harwood Street and on the side of the Commerce Street to your left, rather than the opposite side of Commerce Street, is that correct?

Mr. GOIN. Yes.

Mr. HUBERT. How far past the entrance were you parked, or exit rather?

Mr. GOIN. The exit, a couple of car lengths, I believe. I believe there was a city or county car sitting behind us for a long time.

Mr. HUBERT. Was that a city or county car that was parked across the exit and therefore immediately in front of the larger truck?

Mr. GOIN. I believe it was the car that backed in front of the armored car.

Mr. HUBERT. That was the larger truck?

Mr. GOIN. Yes.

Mr. HUBERT. About when, relative to the time you arrived, did this other car park in front of the armored car?

Mr. GOIN. I can't really give you an answer there, I am sorry.

Mr. HUBERT. Do you remember when the shot was fired? Did you hear any shot?

Mr. GOIN. No; I did not.

Mr. HUBERT. Did you leave your car at all at any time?

Mr. GOIN. Yes; left the armored truck.

Mr. HUBERT. The small one?

Mr. GOIN. The small armored truck on, I think, a couple of occasions and walked back to the back of the truck standing for a moment or for a few minutes, and walking back and getting back in.

Mr. HUBERT. But you never left the immediate vicinity of the small armored truck?

Mr. GOIN. No; I didn't get other than just a few feet at the most from the armored truck.

Mr. HUBERT. How did you first learn of the shooting?

Mr. GOIN. I don't remember exactly. The commotion began with someone trying to get the Ford sedan in front of our big armored truck out of the way, and I don't recall exactly from what source I learned the actual shooting, or maybe just overheard loud conversations, because I didn't have any direct conversation with anyone there.

Mr. HUBERT. Do you remember seeing yourself, the police car coming from around Harwood onto Commerce and backing so that it was placed in front of the large armored car? Did you see that yourself?

Mr. GOIN. Would you explain again?

Mr. HUBERT. You have stated to us that after the large armored truck was

backed partially into the ramp, that a police car, which I think you said was a Ford, came around and backed up in front of the armored truck, isn't that correct?

Mr. GOIN. That's right.

Mr. HUBERT. Now you observed that yourself? Did you see it happen?

Mr. GOIN. Partially; if not all the way. I don't recall exactly if I was in the armored truck when this happened, or standing beside it.

Mr. HUBERT. Well, do I understand you to say that you are not sure whether you actually saw it, but that you ultimately saw it in that position?

Mr. GOIN. I am sure I saw it moving either in a rear view mirror or was standing beside the truck and saw it, because I was observing as much as I could.

Mr. HUBERT. How long after you had arrived at the parking position originally did this Ford police car back up in front of the large truck?

Mr. GOIN. I can't give you an answer to that, I am sorry.

Mr. HUBERT. Had you been there some considerable time?

Mr. GOIN. I can't really say.

Mr. HUBERT. How far were you—I think you have already stated you were two car lengths from the exit?

Mr. GOIN. If I remember, approximately a couple car lengths.

Mr. HUBERT. Was there another police car in front of you, or back of you parked in the same manner as you?

Mr. GOIN. I think before we left there was another police car that moved in front of us, I believe, as a lead position. Because as I recall us leaving, he was in front of us, or at least we started out moving and he was in front of us.

Mr. HUBERT. Well now, I understand then that there was another police car in addition to the Ford that backed up in front of the large truck, that came and placed itself in front of you, is that correct?

Mr. GOIN. I believe there was.

Mr. HUBERT. Did that car come before or after the first police car came?

Mr. GOIN. I can't be sure.

Mr. HUBERT. Were you double parked? I mean, were there cars parked on your left along the curbing?

Mr. GOIN. I believe there were.

Mr. HUBERT. When you first drove up, who gave you instructions as to where to stop?

Mr. GOIN. There was policemen on duty in the street.

Mr. HUBERT. And they told you where to stop?

Mr. GOIN. Yes. I am sure that we were double parked and there were other cars on the side.

Mr. HUBERT. On your left?

Mr. GOIN. Yes.

Mr. HUBERT. Was there another car double parked in front of you when you first drove up?

Mr. GOIN. I don't think so.

Mr. HUBERT. Well, you say that the larger truck backed in into the exit. You must have been ahead of it, isn't that so? Otherwise it would have had to back around you if it had been ahead of you, isn't that so?

Mr. GOIN. I believe I followed the larger car. In the trend of thinking back, I believe that I followed the larger car.

Mr. HUBERT. When your larger truck backed into the Commerce Street exit, was it in front of you or in back of you?

Mr. GOIN. Well, if I followed it to the office, it must have been in front, though I can't remember distinctly that part of it.

Mr. HUBERT. Did Mr. Dietrich ever leave the smaller truck that you were in with him?

Mr. GOIN. I believe he walked down beside the truck with me.

Mr. HUBERT. But no more than that?

Mr. GOIN. No; not that I recall.

Mr. HUBERT. Do you recall Mr. Fleming coming out and giving you instructions at any time as to what to do?

Mr. GOIN. No; I don't.

Mr. HUBERT. Do you recall Mr. Hall doing so?

Mr. GOIN. Mr. Hall?

Mr. HUBERT. Yes.

Mr. GOIN. It seems, I believe, Mr. Hall come out and spoke at one time.

Mr. HUBERT. Do you remember what he said to you?

Mr. GOIN. No.

Mr. HUBERT. Do you remember what instructions you had as to what to do?

Mr. GOIN. I was in question as to what would actually take place most of the time, as I recall.

Mr. HUBERT. You what?

Mr. GOIN. I was more or less uninformed as to what to do and was waiting instructions.

Mr. HUBERT. Did you ever receive them?

Mr. GOIN. No. The commotion began.

Mr. HUBERT. Prior to the beginning of the commotion, did you get any instructions as to what to do?

Mr. GOIN. I believe we talked. Mr. Hall had said something about traveling down Main Street, and I do not remember if we had agreed that there would be some other men probably want to ride in our truck, security men. I don't remember if that was discussed with some of the officers there, or with just Mr. Dietrich and myself.

Mr. HUBERT. Did you know Jack Ruby?

Mr. GOIN. No.

Mr. HUBERT. Have you seen pictures of him in the press or on TV or anything of that sort since?

Mr. GOIN. Yes; I have seen pictures in the paper.

Mr. HUBERT. Did you see anybody around there that day that either was Ruby or looked like him?

Mr. GOIN. At that time, I certainly didn't know him.

Mr. HUBERT. But now that you do know what he looks like, can you tell us whether or not you saw anybody?

Mr. GOIN. I am sorry, I wouldn't know him if I were to see him.

Mr. HUBERT. Now there was no conversation between us this afternoon? I mean tonight, other than what has been recorded by the stenographer, isn't that correct?

Mr. GOIN. That's right.

Mr. HUBERT. Thank you, Mr. Goin. I appreciate your coming down.

Mr. GOIN. Yes.

TESTIMONY OF MARVIN E. HALL

The testimony of Marvin E. Hall was taken at 3:10 p.m., on July 13, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Leon D. Hubert, Jr., assistant counsel of the President's Commission. Sam Kelley, assistant attorney general of Texas, was present.

Mr. HUBERT. This is the deposition of Mr. Marvin E. Hall. Mr. Hall, my name is Leon D. Hubert. I am a member of the advisory staff of the general counsel of the President's Commission.

Under the provisions of Executive Order 11130 dated November 29, 1963, and the joint resolution of Congress No. 137, and the rules of procedure adopted by the President's Commission in conformance with that Executive order and the joint resolution, I have been authorized to take a sworn deposition from you. I say to you now that the general nature of the Commission's inquiry is to ascertain, evaluate, and report upon the facts relevant to the assassination of President Kennedy and the subsequent violent death of Lee Harvey Oswald.

In particular as to you, Mr. Hall, the nature of the inquiry today is to determine what facts you know about the death of Oswald, and any other pertinent facts you may know about the general inquiry. Now Mr. Hall, you appear today, I

believe, by virtue of a specific request made by a letter addressed to you by Mr. J. Lee Rankin, general counsel, of the staff of the President's Commission. I understand that you received that letter last Friday, July 10, is that correct?

Mr. HALL. Yes.

Mr. HUBERT. Would you stand and raise your right hand? Do you solemnly swear that the testimony you are about to give in this matter will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. HALL. I do.

Mr. HUBERT. Will you please state your full name, please, sir?

Mr. HALL. Marvin E. Hall.

Mr. HUBERT. I understand that while that is your full name, you are generally known by the name of Bert Hall, B-e-r-t?

Mr. HALL. That's right; yes, sir.

Mr. HUBERT. Which is sort of an official nickname?

Mr. HALL. That's right.

Mr. HUBERT. Where do you live?

Mr. HALL. 4112 Sun Valley.

Mr. HUBERT. How old are you?

Mr. HALL. Forty-three.

Mr. HUBERT. What is your occupation now?

Mr. HALL. City manager of Armored Motor Service in Dallas, Tex.

Mr. HUBERT. Is that the same occupation that you had on November 24, 1963?

Mr. HALL. Yes, sir.

Mr. HUBERT. How long have you been connected with that company?

Mr. HALL. Seven years. The reason I hesitate, I am also vice president of the company, but that is not really the main function here in Dallas.

Mr. HUBERT. As manager of the company, do you have occasion to actually drive the vehicles that are used by the company? Did you often do so prior to November 24? Had you done so frequently?

Mr. HALL. Not frequently; as manager of the company, it is our obligation to make sure all our vehicles are in running order. We test drive them, periodically, because we go out on trips with the men. The capacity of driving a vehicle is part of knowing what is going on.

Mr. HUBERT. Prior to the time you became manager, were you connected with the company as a driver?

Mr. HALL. No; as a salesman.

Mr. HUBERT. I think you were interviewed by the FBI on June 24, 1964, the FBI agents interviewing you being Mr. W. James Wood and Manning Clements. I have, heretofore, a few minutes ago, handed to you a report by those two FBI agents of their interview with you. For the purpose of identification, I have marked the document, which consists of four pages, on the first page as follows, to wit: "Dallas, Texas, July 13, 1964, Exhibit No. 1, deposition of Bert Hall." Under which I have signed my name, and I have placed my initials on the succeeding three pages in the lower right-hand corner of each page. I think you have had an opportunity, have you not, sir, to read this 4-page document now marked as Exhibit No. 1?

Mr. HALL. Yes.

Mr. HUBERT. I ask you if this document is correct, or whether you desire to make any corrections or modifications or additions to this document?

Mr. HALL. There are minor adjustments to it; sir.

Mr. HUBERT. Now you have called my attention to the fourth paragraph on page 1 of that document, which describes Ed Dietrich as assistant crew chief. What comment have you to make as to that statement?

Mr. HALL. Only that he is crew chief; and I may have been misunderstood by the two men on that.

Mr. HUBERT. Was he crew chief on November 24?

Mr. HALL. Yes.

Mr. HUBERT. So that actually the word "Assistant" should be deleted?

Mr. HALL. That's right.

Mr. HUBERT. Now I see no marks on page 2, and I assume that you have no comment to make other than that it is correct?

Mr. HALL. Correct.

Mr. HUBERT. Now I turn to page 3, and in the second paragraph you have a mark with reference to the first sentence. I ask you what comment you have to make about that first sentence, which begins with the words "Shortly after" and ends with the words "with a shotgun"?

Mr. HALL. Only that the sentence is worded "A police officer who at this time Hall never knew . . .", and I merely point out that I met the man that morning, and knew his name at that moment, but have forgotten what it was as of this time.

Mr. HUBERT. But you have no doubt about his identity as a police officer?

Mr. HALL. Definitely not.

Mr. HUBERT. He was in uniform?

Mr. HALL. Definitely.

Mr. HUBERT. Do you have any other comments to make about that sentence?

Mr. HALL. I remember seeing he was armed with a shotgun, and I am not positive whether the shotgun was his or was a part of the equipment in the truck, since we do have a shotgun in a bracket alongside the seat he occupied.

Mr. HUBERT. On which side of the seat he occupied is that gun bracket placed?

Mr. HALL. Right side.

Mr. HUBERT. On his right side, so that when getting into the seat he was sitting in, he would have to cross over or climb over the bracket, as it were?

Mr. HALL. Not really.

Mr. HUBERT. Now you say he had a shotgun in his hand. You used the words "armed with a shotgun" and you said you weren't sure it was the shotgun that normally comes with the truck or one which he brought himself. I take it, therefore, that you saw him with the shotgun in his hand?

Mr. HALL. I believe so; yes, sir.

Mr. HUBERT. You don't know whether the normal or regular shotgun that normally goes along with the truck was in the bracket as well as the one that he had in his hand?

Mr. HALL. I am not real sure. That is the normal thing to do. If you and I were to crawl into that seat with the purpose intended that we were sitting there for, we would have unbuckled the shotgun and sat there with it. It is in that handy a place.

Mr. HUBERT. But he did have a shotgun?

Mr. HALL. Yes, sir.

Mr. HUBERT. Now I notice that on page 3, also, you have a mark next to the third paragraph, and I think that your comment was with reference to the first sentence of that third paragraph beginning with the words "Hall said," and ending with the words "parked there." What comment have you to say there about that, sir?

Mr. HALL. The statement says that Hall recalls that Fleming and the patrolman with the shotgun were the only persons to enter or leave the garage through the Commerce Street entrance. I am a little vague, but I think Chief Batchelor also passed by my line of vision at that time. I do remember seeing Chief Batchelor and nodding to him.

Mr. HUBERT. Well, other than that, is the statement correct?

Mr. HALL. Yes, sir.

Mr. HUBERT. Well, to put it affirmatively then, other than the possibility that Chief Batchelor passed by, you do not think that anyone else did?

Mr. HALL. No, sir; that is correct.

Mr. HUBERT. Now I see no further marks, and I take it, therefore, that the rest of the statement which has been identified, or the report which has been identified as statement 1, is correct as modified?

Mr. HALL. Yes.

Mr. HUBERT. Now do you recall when you first got any notice whatsoever about this function that you ultimately performed on November 24?

Mr. HALL. Approximately 9:45 in the morning.

Mr. HUBERT. You fix that in what way; sir?

Mr. HALL. I fixed that because our Sunday school class was just commencing. I was going into the classroom that I normally would teach, when I received a call from the church office that I was wanted on the telephone.

Mr. HUBERT. What time was your school scheduled to begin?

Mr. HALL. 9:50.

Mr. HUBERT. 9:50?

Mr. HALL. Yes, sir.

Mr. HUBERT. Then you were going in at approximately 5 minutes before that?

Mr. HALL. Yes.

Mr. HUBERT. Had you actually reached the class yet?

Mr. HALL. Yes, sir; I was in the classroom itself.

Mr. HUBERT. But the class had not yet begun?

Mr. HALL. That's right.

Mr. HUBERT. Do you normally start on time?

Mr. HALL. Normally; yes, sir.

Mr. HUBERT. This call came about how long before you would normally have started?

Mr. HALL. Five minutes.

Mr. HUBERT. Who was the call from, did you say?

Mr. HALL. Mr. Fleming.

Mr. HUBERT. What is his first name?

Mr. HALL. Harold.

Mr. HUBERT. What was the nature of the call?

Mr. HALL. We were asked to provide a truck for Chief Batchelor as soon as possible.

Mr. HUBERT. That is Fleming told you that on the phone, is that correct?

Mr. HALL. Yes, sir.

Mr. HUBERT. Did he tell you what the purpose for the use of the car would be?

Mr. HALL. Of this I am not real certain, sir.

Mr. HUBERT. How long was your telephone conversation with Fleming?

Mr. HALL. Approximately a minute.

Mr. HUBERT. What did you do then?

Mr. HALL. I sat for a moment trying to reconstruct the previous evenings arrangement to remember who would have keys to the terminal, since there are only two sets in existence. The most logical choice seemed to be Ed Dietrich and Don Goin. I called Ed Dietrich's home. He had just gone down to the corner. So I called Don Goin's home and told him to meet me down at the terminal.

Mr. HUBERT. Did you tell him what you wanted to meet him about?

Mr. HALL. I am not positive; sir.

Mr. HUBERT. Did he have a set of keys?

Mr. HALL. Yes, sir; he would have come anyway. It is fairly usual to call one of our people and say, "I will meet you at the terminal in a few minutes, we have a problem."

Mr. HUBERT. How long did you speak to Goin?

Mr. HALL. Approximately a minute. Then I called Ed Dietrich's home back and asked him to join us.

Mr. HUBERT. You got him on the second time?

Mr. HALL. Yes.

Mr. HUBERT. About what time was that?

Mr. HALL. Approximately 10 o'clock.

Mr. HUBERT. Did you then immediately leave the church?

Mr. HALL. I think I called Harold Fleming back, and I assured him that we could produce and agreed to meet down at the terminal. When his call first came in, there was a little bit of doubt in my mind that I could reach anybody on a moment's notice, afraid that every man we have would be out of pocket as of Sunday morning.

Mr. HUBERT. So that after speaking to Dietrich, you then made a third phone call?

Mr. HALL. I talked to Fleming twice; yes, sir.

Mr. HUBERT. About what time did you leave the church then?

Mr. HALL. There is a period of time of 30 minutes that I am not real positive. The time that the first call came in at 9:45—I feel reasonably sure that I was down at the terminal by 10:30. Exactly the time I left the church would be close to 10:05, because my wife had just started her Sunday school class.

Mr. HUBERT. What time did that begin?

Mr. HALL. 9:50; and I peeked into her room to quietly tell her to get home as best she could, that I had to go to work.

Mr. HUBERT. Where is the church located?

Mr. HALL. At the corner of Colorado and Turner in Oak Cliff.

Mr. HUBERT. Where is the terminal?

Mr. HALL. 1800 Leonard.

Mr. HUBERT. How did you drive?

Mr. HALL. About a 10-minute drive?

Mr. HUBERT. How did you go down?

Mr. HALL. In the car assigned to me.

Mr. HUBERT. I mean what route did you take?

Mr. HALL. Turner north to Greenbrier; Greenbrier east on Sylvan; Sylvan north to the Fort Worth cutoff; Fort Worth cutoff east on into town, proceeding up Commerce Street to Field; turning north on Field to Ross; and east to Ross to Leonard; north on Leonard to Flora. This is the corner the terminal is located. The reason that I feel fairly sure of that route is we are all creatures of habit, and that would be the way to go, especially in a hurry.

Mr. HUBERT. Were you driving faster than normal?

Mr. HALL. Not really.

Mr. HUBERT. So you think the trip took you about 10 minutes, you said?

Mr. HALL. Approximately; yes, sir.

Mr. HUBERT. That would make the time of arrival at the terminal then about 10:15 or 10:20?

Mr. HALL. This could be so; yes, sir.

Mr. HUBERT. When you got there, was anyone else there?

Mr. HALL. I believe I was the first.

Mr. HUBERT. Who got there next?

Mr. HALL. I think the order of arrival was me, Dietrich, Goin, Fleming.

Mr. HUBERT. Can you tell us anything about the time intervals between their arrival after yours?

Mr. HALL. Not really; no, sir.

Mr. HUBERT. I think you have stated that all four of you were there at the terminal, however, at 10:30?

Mr. HALL. Approximately so; yes, sir. I remember feeling quite proud of the quick assembly time on a normally off-duty time.

Mr. HUBERT. What occurred after the four of you were there? Do you remember whether there were any telephone calls to Chief Batchelor?

Mr. HALL. Yes, sir; I believe there were. I think Fleming called Chief Batchelor at least once.

Mr. HUBERT. Do you remember the nature of that call?

Mr. HALL. I am not sure whether Fleming got a hold of Chief Batchelor or not. I think it was to determine if one of the smaller trucks would be acceptable.

Mr. HUBERT. What was decided upon. What actually happened?

Mr. HALL. The impression we received was that the larger truck would have to be the one used.

Mr. HUBERT. Did more than one truck go?

Mr. HALL. Yes, sir; I decided to have the smaller truck accompany the larger truck as a standby. This procedure we use in all cases of tension for double protection. We frequently send two vehicles when one would be sufficient to handle the load.

Mr. HUBERT. Do you know when you left the terminal with the two trucks?

Mr. HALL. Approximately 10:50—10:45 or 10:50.

Mr. HUBERT. Would you estimate that between 15 and 20 minutes between the time all four of you were there until the two-vehicle convoy proceeded to the Dallas Police Department?

Mr. HALL. Yes, sir.

Mr. HUBERT. Now who was driving the larger truck?

Mr. HALL. I was, sir.

Mr. HUBERT. Was anyone with you?

Mr. HALL. Mr. Fleming.

Mr. HUBERT. Who was driving the other truck, the small one?

Mr. HALL. Don Goin, I believe ; sir.

Mr. HUBERT. Was Dietrich with him?

Mr. HALL. Yes, sir.

Mr. HUBERT. I gather from what you said, it was either Dietrich or Goin driving the other car?

Mr. HALL. Yes, sir ; I feel pretty sure it was Goin.

Mr. HUBERT. Now how did you proceed from the terminal to the Dallas Police Department building?

Mr. HALL. We, in convoy fashion, the large truck leading the small truck, went south on Leonard to Ross, west on Ross to Pearl, south on Pearl to Main, west on Main to Harwood, south on Harwood to Commerce, east on Commerce just past the city hall basement entrance, and I then backed the large truck into the entranceway and indicated to the small truck to park just ahead of the passage-way in reserve.

Mr. HUBERT. Had you been given any instructions to back in prior to leaving the terminal?

Mr. HALL. Yes, sir ; we had. We had had that understanding.

Mr. HUBERT. In other words, when you got to the Dallas Police, Commerce Street entrance, you did not wait for any further instructions, but immediately proceeded to back in?

Mr. HALL. That's right, sir.

Mr. HUBERT. Did Mr. Fleming or anyone else assist you in backing in by way of directions and signal, and so forth?

Mr. HALL. Yes ; Mr. Fleming helped with the traffic control, and then remained at the rear of the truck for further instructions.

Mr. HUBERT. Now was that the first time that day you had been to the police department?

Mr. HALL. Oh, yes.

Mr. HUBERT. Did anyone of you, including yourself, have on a grayish or any other type of overcoat when you were at the police department?

Mr. HALL. No.

Mr. HUBERT. Have you ever seen any pictures of Jack Ruby?

Mr. HALL. Yes, sir.

Mr. HUBERT. I can tell by looking at you that you do not resemble Jack Ruby.

Mr. HALL. Thank you.

Mr. HUBERT. But I wanted you to express an opinion as to the other gentleman.

Mr. HALL. Definitely not. Goin and Dietrich were in uniform. Our standard uniform is khaki color, with .38 pistols at their side. Mr. Fleming was in a suit, and he is tall and rather thin. I would guess at least 6 inches taller than Mr. Ruby. There seems to be no resemblance.

Mr. HUBERT. Did you notice any TV mobile van units nearby there?

Mr. HALL. Yes, sir.

Mr. HUBERT. Did you or Mr. Fleming or Mr. Goin or Mr. Dietrich ever approach any of those units, do you know?

Mr. HALL. For no reason ; no, sir. There was one parked in the way.

Mr. HUBERT. Well, just describe it.

Mr. HALL. One parked at the entrance to my right. As I pulled past the entrance and backed in, there was a TV camera stationed on top of a truck approximately here.

Mr. HUBERT. In other words, between you and Harwood Street?

Mr. HALL. Yes, sir.

Mr. HUBERT. Almost up to the Commerce entrance?

Mr. HALL. Yes, sir ; there were a number of people, onlookers. All of them had been regimented over on the other side of the street, not any closer to the city hall than the sidewalk, to the far side of Commerce. There were approximately 50 or so people over there.

Mr. HUBERT. Did you see anybody on the Main Street side of Commerce? That is to say, in the area of the sidewalk between the mobile units and the building itself?

Mr. HALL. No ; as we passed the Main Street side of the city hall, we were quite intent in watching the traffic and people and in getting our truck into proper position on the other side of the building, so we didn't observe anything.

Mr. HUBERT. Did you observe anyone at all go up to the window of any of the TV mobile units?

Mr. HALL. No, sir.

Mr. HUBERT. When your truck was placed on the ramp and arrived at a stationary position, would you describe what that position was relative to what part of the truck was inside the building and what part was outside the building?

Mr. HALL. My cab was even with the outside wall of the building, which would indicate that over half of the truck was indented into the building on a downward slant. The rear door of the truck would be 6 or 8 feet inside of the line formed by the outside wall of the building. Is that the answer?

Mr. HUBERT. Now you said that your cab, and therefore, you sitting in the driver's seat of the cab, was on a line even with the outside wall of the building?

Mr. HALL. Yes.

Mr. HUBERT. How far were you personally from the wall on your left? In other words, how much space was there between you and the wall?

Mr. HALL. Total of about 4 feet, I would imagine; sir. There is a little parapet there. You allow for the runningboard of my truck and the open door. Between my open door and the wall would be approximately 2 feet left over.

I haven't mentioned this; I think it is probably immaterial; a newsman walked up to my cab during this interval of waiting for something to happen and attempted to interview me, asking questions about the operation of the company, and due to the stress of the situation, I shut the door to avoid discussion.

Mr. HUBERT. Well, does that have a window?

Mr. HALL. It is a bulletproof glass and it is sealed.

Mr. HUBERT. What I am getting at is——

Mr. HALL. This is a minor thing, but they were quite annoying.

Mr. HUBERT. What did he do? Did he just go on after that?

Mr. HALL. He went on about his business.

Mr. HUBERT. He did not go into the building?

Mr. HALL. No.

Mr. HUBERT. How do you know he was a newspaperman?

Mr. HALL. He had a pad and a pencil and said he was.

Mr. HUBERT. Have you seen pictures of Jack Ruby?

Mr. HALL. This wasn't Jack Ruby.

Mr. HUBERT. It was not?

Mr. HALL. No; definitely not. This was a young kid.

Mr. HUBERT. Did you see anybody else pass by going into the building to your left?

Mr. HALL. No.

Mr. HUBERT. You are quite certain that no one did?

Mr. HALL. Yes.

Mr. HUBERT. Are you willing to state that no one could have without your seeing them?

Mr. HALL. It is so very unlikely.

Mr. HUBERT. I take it from the interval of hesitation that although your answer has been it is very unlikely, you are not willing to make the positive statement that nobody did?

Mr. HALL. No; due to one thing. There was approximately 20 minutes of tension. There was quite a bit of activity in the area. I feel very sure that only the people designated passed my long vantage point.

Mr. HUBERT. When you say people designated, who do you mean?

Mr. HALL. Harold Fleming and the police officer and probably Chief Batchelor.

Mr. HUBERT. Now did you hear the shot fired?

Mr. HALL. Yes, sir.

Mr. HUBERT. From the time that you backed your truck in until the time the shot was fired, did you move out of the van at all?

Mr. HALL. No; the reason is that it was parked on a slant and I wanted to make darn sure we didn't roll or have any problem.

Mr. HUBERT. Did you keep your engine running?

Mr. HALL. Yes, sir; definitely.

Mr. HUBERT. What was the reason why you didn't go down all the way?

Mr. HALL. The height of the truck. The height of the passageway wouldn't permit our truck down in there.

Mr. HUBERT. Was any question raised as to whether the truck had sufficient power to climb up that ramp if it went all the way down?

Mr. HALL. Oh, no; it is a heavy Chevrolet truck. Strictly a matter of height.

Mr. HUBERT. How much space was there between the right-hand side of your truck and the wall on the Harwood Street side of the Commerce entrance?

Mr. HALL. Just enough for one man to pass.

Mr. HUBERT. That would be how much, a foot, or 2 feet?

Mr. HALL. Approximately 2 feet, sir.

Mr. HUBERT. Now were there any police guards that you saw on either side of your truck during the time it was parked?

Mr. HALL. Sitting in the driver's seat looking out the left door to the rear, I could observe a police guard beyond the rear of the truck on the left side. I assumed there were police guards on the right side also, even though from my vantage point I couldn't see him.

Mr. HUBERT. But you did see a police guard to your left?

Mr. HALL. Yes, sir.

Mr. HUBERT. In the space between the truck and the wall?

Mr. HALL. Behind the—further back down, sir, not standing directly between the truck and the building; no.

Mr. HUBERT. Nor was there any, I take it then, at the very entrance between your truck and the wall?

Mr. HALL. Not stationed permanently at that spot to stand still; no, sir.

Mr. HUBERT. Well, were there some moving?

Mr. HALL. I have to explain this hesitation. I am trying to recall. At the time, there was quite a bit of activity there. There were policemen moving, patrol type situation. Two on the corner, two out in the street directing traffic, one up at the door to the new part of the city hall, and one out on the sidewalk.

Mr. HUBERT. That was in front of your truck more or less?

Mr. HALL. Front and to the left; yes, sir. I am not just real positive, but one policeman may have gone through that passageway.

Mr. HUBERT. You did not see anybody in civilian clothes?

Mr. HALL. Oh, no; gosh, no. There is another reason for this. The concentration of newsmen was apparently already at their posts down in the basement when we got there.

Mr. HUBERT. How could you tell that?

Mr. HALL. When you back into an opening and look through your rear-view mirror, or also turn around and look down the left side of your truck, you see a concentration of people down in a rather dark basement area. There was excitement down there. We were on the outside.

Mr. HUBERT. How could you tell there was excitement? By movement, or sound?

Mr. HALL. By movement and noise. Am I being direct enough?

Mr. HUBERT. Did you have any conversation with Mr. Fleming during any of this period?

Mr. HALL. Very minimal. "What is going on? Are they ready?"

Mr. HUBERT. Had any signal arrangement been made between you as to when to start off, and so forth?

Mr. HALL. Oh, no.

Mr. HUBERT. You were simply waiting instructions then as to what to do?

Mr. HALL. Yes, sir.

Mr. HUBERT. Had you been told as to what route to follow?

Mr. HALL. The policeman got into the cab and briefly said his understanding was that we would turn left and have an escort and would probably go on up to Central Express, over to Main, and down to the county courthouse by the most direct route. I feel that this was a little conjecture on his part and mine both.

Mr. HUBERT. How long after you had stopped in the final position of the truck did this policeman come and sit next to you?

Mr. HALL. Three to five minutes.

Mr. HUBERT. How do you fix that?

Mr. HALL. Strict estimate; it wasn't immediately. It wasn't toward the latter

part of the waiting period. It was in the early part of the waiting period, and I feel that 3 to 5 minutes was a fairly accurate estimate.

Mr. HUBERT. Did you converse with this gentleman?

Mr. HALL. Briefly; we shook hands, smiled at each other, and sat there.

Mr. HUBERT. He stayed there until after the shot was fired?

Mr. HALL. He stayed in the truck until we pulled over across the street and until after the ambulance had gone by.

Mr. HUBERT. I think you said he was in uniform?

Mr. HALL. Yes; definitely.

Mr. HUBERT. Were there any kind of records kept by your company concerning the movement of the trucks?

Mr. HALL. Normally; yes, sir. This Sunday morning adventure was such an unusual thing and participated in by two administrators of the company, that we made no formal truck report as you normally would when you come in off a run. We made an informal memo report, I did, and mailed it to our home office in Fort Worth, Monday morning, describing the situation, just for the file.

Mr. HUBERT. Did that report contain any reference to the various times that we have discussed? For example, today, and particularly the time of leaving the terminal and returning to the terminal?

Mr. HALL. No; it was just a rough informal memo to Mr. Mastin, the president of the organization, putting on paper what we had done.

Mr. HUBERT. Was any charge made to the city for this service?

Mr. HALL. No, sir; we were available to the city for emergency use. Couldn't very well charge when we don't accomplish our mission.

Mr. HUBERT. Well, I think that is all I have; sir. I now would like to ask you this question so the record may be clear. There has been some informal discussion between you and me since you came in, but I believe, and I ask you whether you concur in this, that all that we discussed informally has been again discussed formally in the sense that it has been recorded?

Mr. HALL. Yes, sir.

Mr. HUBERT. All right, sir; I think that is all, and thank you very much indeed.

TESTIMONY OF CECIL E. TALBERT

The testimony of Cecil E. Talbert was taken at 10:45 a.m., on July 13, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Leon D. Hubert, Jr., assistant counsel of the President's Commission. Sam Kelley, assistant attorney general of Texas, and Dean Robert G. Storey, special counsel to the attorney general of Texas, were present.

Mr. HUBERT. This is the deposition of Captain Cecil E. Talbert. Captain Talbert, my name is Leon D. Hubert. I am a member of the advisory staff of the general counsel of the President's Commission.

Under the provisions of Executive Order 11130 dated November 29, 1963, and the joint resolution of Congress, No. 137, and the rules of procedure adopted by the President's Commission in conformance with that Executive order and the joint resolution, I have been authorized to take a sworn deposition from you, among others.

I state to you now that the general nature of the Commission's inquiry is to ascertain, evaluate and report upon the facts relevant to the assassination of President Kennedy and the subsequent violent death of Lee Harvey Oswald.

In particular as to you, Captain Talbert, the nature of the inquiry today is to determine what facts you know about the death of Oswald and any other pertinent facts you may know about the general inquiry.

I understand, Captain, that you appear today by virtue of a general request made to Chief Curry by Mr. J. Lee Rankin, general counsel of the staff of the President's Commission.

Under the rules adopted by the Commission, every witness has the right

to have a 3-day written notice personally directed to him prior to the taking of his deposition, but the rules also provide that any witness may waive that 3-day written notice if they wish.

Captain TALBERT. I wish to waive.

Mr. HUBERT. I will ask you now if you are willing.

Captain TALBERT. Please.

Mr. HUBERT. Will you stand and raise your right hand? Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Captain TALBERT. I do.

Mr. HUBERT. Captain Talbert, you have previously given a deposition in this matter, which I think was on March 24, 1964, isn't that correct?

Captain TALBERT. I gave a previous deposition; yes, sir. The date is correct.

Mr. HUBERT. For that reason, I will not make any attempt to take any information concerning who you are and so forth. I take it you are still with the police department in the capacity you were when your deposition was last taken?

Captain TALBERT. Yes, sir.

Mr. HUBERT. Now, I want to inquire about a number of matters that were touched upon, I think, last time concerning which we need some elaboration, and that is the reason for calling you back. As I recall the matter, you came on duty on November 24 early in the morning to relieve Captain Frazier, is that not so?

Captain TALBERT. That is true.

Mr. HUBERT. What time, do you remember, did you come on duty?

Captain TALBERT. I would have to give you an approximation, sir, between 6 and 6:15 a.m.

Mr. HUBERT. What shift was it that you were coming on?

Captain TALBERT. It is referred to as the second platoon, working days, as it operates from 7 to 3.

Mr. HUBERT. But you came on sometime before the actual beginning?

Captain TALBERT. Yes.

Mr. HUBERT. Captain Frazier was there when you came?

Captain TALBERT. Yes.

Mr. HUBERT. Now I understand also that you proceeded to set up certain security measures in the entire building?

Captain TALBERT. No, sir.

Mr. HUBERT. You did not? What security measures did you begin to set up in the morning when you got there?

Captain TALBERT. Later in the morning at approximately 9 o'clock I instructed Lieutenant Pierce to get squads in to set up security measures in the basement.

Mr. HUBERT. The basement being referred to as the automotive drive area and the area where the prisoner, if he were transferred, would be exposed? That is to say, the basement would be the two ramps and the parking area, is that correct?

Captain TALBERT. Yes, sir; and the approach to the jail.

Mr. HUBERT. It is actually below the first floor?

Captain TALBERT. Yes, sir.

Mr. HUBERT. You had not taken any kind of security precautions prior to that?

Captain TALBERT. No, sir.

Mr. HUBERT. Now what security precautions did you initiate at about 9 o'clock, you say, on November 24?

Captain TALBERT. I instructed Lieutenant Pierce to——

Mr. HUBERT. That is Rio Pierce?

Captain TALBERT. Yes; Rio Sam Pierce. I instructed him to go over the detail and pull three squads from each of the three outlying stations and four from central stations to acquire as many men as possible by utilizing two-man squads, and search the basement area, clear it, and then keep it cleared of everything but authorized personnel.

Mr. HUBERT. Now did you do that——

Captain TALBERT. By basement area, let me refer back again to the area that we previously defined.

Mr. HUBERT. Did you do that on your own initiative, or were you directed or requested to do that by anyone?

Captain TALBERT. I did it on my own due to the buildup of public curiosity seekers around the building, as well as the buildup around the city jail, and traffic conditions in the downtown area on Sunday were extraordinarily heavy due to the situation that had just occurred. And I thought that if a transfer were made, then we should have some precautions to safeguard it, and also to keep from having chaos in attempting to do it immediately.

Mr. HUBERT. Were you aware then that the transfer of Oswald would be made by utilizing some part of the basement area, or were you just assuming that it would?

Captain TALBERT. Strictly an assumption, sir, and from the fact that he might not. Transfer was strictly an assumption from the press, what had been released in the press the day before.

Mr. HUBERT. In other words, you did not know at that time that Oswald would be transferred on Sunday?

Captain TALBERT. No, sir.

Mr. HUBERT. Had you been in contact with any superior prior to the institution of these security precautions you have just described?

Captain TALBERT. I had talked to Chief Curry on the telephone in the early morning hours just prior to 7, somewhere along there.

Mr. HUBERT. I think you have already covered that in your previous deposition.

Captain TALBERT. Yes.

Mr. HUBERT. Did he at that time direct you to institute any security precautions?

Captain TALBERT. No.

Mr. HUBERT. Did you institute any security precautions other than the ones that you just described concerning the basement?

Captain TALBERT. That I described in the previous deposition, or presently?

Mr. HUBERT. No; in the present one.

Captain TALBERT. You mean further along in the morning, sir?

Mr. HUBERT. Well, no. I was thinking about security precautions in other areas than the basement at that time.

Captain TALBERT. No, sir. I didn't have the personnel.

Mr. HUBERT. Did you take any steps to initiate security precautions as to other areas than the basement at any time on Sunday?

Captain TALBERT. When the crowd began to get heavy, began to gather on Commerce Street, then on the Commerce Street side we had had the previous warning from the FBI and an anonymous caller of a possible mob action, so we moved the civilians from the north side of Commerce to the south side of Commerce and stationed, or had Sergeant Steele station some reserve officers out there to maintain the free sidewalk as well as the surveillance of the ground.

Mr. HUBERT. Was that done at your direction and order?

Captain TALBERT. Yes, sir.

Mr. HUBERT. Did you receive instructions from some person higher in command than you to do it, or did you do it on your own initiative?

Captain TALBERT. I just saw the necessity of doing it, so I did it on my own initiative.

Mr. HUBERT. Did you ever receive from anyone any specific instructions concerning security precautions other than what you have mentioned?

Captain TALBERT. In reference to the original deposition, I pointed out in there about the receiving of instructions and transferring the prisoner from the city jail to the county jail. I received instructions on this.

Mr. HUBERT. From whom?

Captain TALBERT. From Chief Lumpkin and Chief Stevenson at the time they told me about the prisoner being transferred, that he would be transferred in an armored car.

Mr. HUBERT. About what time was that, do you know? I mean the time that you received that information and these instructions?

Captain TALBERT. I was trying to refer to something for a time. 10:30 to

10:45, somewhere in that vicinity. It would have been in the vicinity of 10:30 or 10:45.

Mr. HUBERT. Did you ever receive any other instructions concerning security from anyone?

Captain TALBERT. No, sir. Well, may I qualify that. You mean prior to Oswald's shooting?

Mr. HUBERT. Yes, sir.

Captain TALBERT. No, sir.

Mr. HUBERT. Do you recall whether there were any conversations concerning the transfer of Oswald?

Captain TALBERT. I am sure there were many, but not in my presence.

Mr. HUBERT. What were your instructions to Lieutenant Pierce regarding the security measures he should take with reference to the basement area?

Captain TALBERT. Clear it and seal it off, or seal it off rather and then clear it, and search it.

Mr. HUBERT. Would you describe what "seal it off" means?

Captain TALBERT. Station officers at the entrances or exits and insure unauthorized personnel not entering the area.

Mr. HUBERT. Did you go down to the basement yourself?

Captain TALBERT. Yes, sir.

Mr. HUBERT. Did you examine to see all possible entrances and direct that the sealing off process cover those possible entrances?

Captain TALBERT. May I qualify again, or ask a question? Do you mean did I direct the actual sealing off?

Mr. HUBERT. Yes.

Captain TALBERT. No, sir; I did not. I examined it after it had been sealed off to see if it had been properly done, and in my opinion it had been.

Mr. HUBERT. Now the clearing process consisted of what? The clearing out or checking whether the building had been sealed, the basement had been sealed?

Captain TALBERT. Clearing all of the civilian employees out. They had a check. This was done before I went to the basement. But I was instructed, or not instructed, I mean informed after I went down to examine it, of the step by step process that had been taken in checking the news personnel back in, or checking them in the jail office that were in there.

Mr. HUBERT. Well, as I understand it, it was not all cleared out of everybody and then accredited personnel let in, but rather those that were in there were checked out to see if they were accredited?

Captain TALBERT. Right, sir.

Mr. HUBERT. I think the accreditation consisted of their being authentic news media people?

Captain TALBERT. Yes.

Mr. HUBERT. Now were you given any instructions to the effect that news media were to be permitted to remain in the basement?

Captain TALBERT. No, sir.

Mr. HUBERT. Was it then your own initiative that news media were not to be removed from the basement?

Captain TALBERT. No, sir.

Mr. HUBERT. How did that come about?

Captain TALBERT. I qualify that in that Sergeant Putnam—as I recall, Sergeant Putnam—it possibly could have been Sergeant Dean was present at the time when Chief Curry told the newsmen there was no point in their setting up their TV cameras and equipment on the third floor, that the man would come through the jail office of the basement. I didn't personally hear it. It was told by him or one of the other of my superiors that Chief Curry had given them that information, or permission, if you wish.

Mr. HUBERT. In other words, you did not clear the basement of news media because you understood from Sergeant Putnam or someone else that he had heard Chief Curry say to the news media that there was no use in their setting up their equipment on the third floor since the transfer would be made through the basement?

Captain TALBERT. Yes. They were in the process of setting up their live

television cameras and what-have-you, when he gave them this information.

Mr. HUBERT. Did you check with anyone to see if the news media would be permitted to remain in the basement?

Captain TALBERT. No, sir. May I say——

Mr. HUBERT. Sure; go ahead.

Captain TALBERT. Could we hold this up just a moment?

Mr. HUBERT. Yes; but let me say this, whatever we say off the record——

Captain TALBERT. I can go back on the record. I just want to know if you want something.

Mr. HUBERT. All right, let's go off the record, with the understanding that we must put the contents of what you tell me off the record into it, you see.

(Discussion off the record.)

Mr. HUBERT. Let's go on the record. Why don't you just state that? Let's put it this way. There was a short conversation, the substance of which will now be covered by Captain Talbert.

Captain TALBERT. On my previous deposition it was apparently stated as a fact that we utilized the existing general order in following our usual procedure in handling news personnel, and that is general order No. 81. I have since checked it to make sure that is the correct general order number, and that general order was supplemented in 1963 after two incidents in which news personnel felt they had been held away from their story because of unnecessary precautions by police officers, and it was quite adequate as far as assisting them in obtaining their story.

Mr. HUBERT. In other words, you were operating under the provisions of that order No. 81, as amended?

Captain TALBERT. Yes, sir. I have the amendment. I mean I have No. 81, and I have the additional amendment with me, but I would rather you get it from the department rather than me.

Mr. HUBERT. If you have a copy that could be available, I would just as soon get it.

Captain TALBERT. I was curious enough to make a copy after I was here before. No. 81 is the top figure, and the bottom is the amendment. Not the amendment; actually it is an emphasis of No. 81 where it was emphasized it was to be followed, with punitive measures to be taken if it were not.

Mr. HUBERT. In connection with your present deposition, Captain Talbert, I am going to mark as an exhibit the documents you have just referred to, as follows: "Dallas Police Department General Order No. 81 entitled 'Press Releases', dated June 15, 1958." I am marking that for the purpose of identification as "Dallas, Texas, July 13, 1964, Exhibit No. 1, deposition of Captain C. E. Talbert," signing my name below that, consisting of really about a third of the page. And the second document you have handed me is a photostatic copy of a long memo dated February 7, 1963, addressed to all members of the department, apparently signed by Chief of Police J. E. Curry, that I am marking as follows, for identification: "Dallas, Texas, July 13, 1964, Exhibit No. 2, deposition of Captain C. E. Talbert", and I am signing my name below that exhibit. Now Exhibit No. 1 and Exhibit No. 2 are the police directives or orders that you were referring to a moment ago?

Captain TALBERT. Yes, sir.

Mr. HUBERT. Do you recall any conversations you had with Chief Batchelor or Chief Curry or Deputy Chief Stevenson?

Captain TALBERT. Yes, sir; to some extent.

Mr. HUBERT. Will you tell us about what they were?

Captain TALBERT. Chief Stevenson and Chief Lumpkin wanted to go to the third floor for a cup of coffee, ostensibly. I assume that the true purpose was to tell me about the armored car transfer. And instead, I took them to the second floor to my sergeant's room, or conference room where we had a pot of coffee made, and while we were drinking coffee there they told me that the transfer would be made, that it would be made in an armored car, and wanted me to have a man or two men available on the Commerce Street side to assist the driver of the armored car in backing in. At that time they were concerned about the height of the armored car.

Mr. HUBERT. Do you know about what time that was, sir?

Captain TALBERT. Again, I am going to give you an approximation of 10:30 to 10:45.

Mr. HUBERT. That conversation on the second floor was with Chief Batchelor?

Captain TALBERT. No, sir; Chief Stevenson and Chief Lumpkin.

Mr. HUBERT. And Lumpkin?

Captain TALBERT. Yes, sir.

Mr. HUBERT. Did you have any conversations with Chief Batchelor or Chief Curry at that time?

Captain TALBERT. Not with Chief Curry. When Chief Batchelor came to the basement, we had quite a few commentaries on various parts of security, but verbatim, I can't recall what they were.

Mr. HUBERT. What was the general nature?

Captain TALBERT. He was checking what we had done there. Chief Batchelor came into the basement parking area, the one we had sealed off, and had checked it, or was checking it, in the process of checking it, and in checking it we had some brief conversation. We moved two cars out on the Commerce Street side prior to the arrival of the armored car, and he moved his car, and I believe Chief Curry's car; had them moved out, I should say. I didn't move them myself.

Mr. HUBERT. Where were they?

Captain TALBERT. They were parked in the basement.

Mr. HUBERT. Where?

Captain TALBERT. I don't recall, sir.

Mr. HUBERT. Weren't they by the railing?

Captain TALBERT. Oh, I am sorry, they were always parked in the same place, so I am sure they were there. As you turn into the drive, or rather from the drive into the parking area, the chief's car is always parked to the right or on the south side of the drive.

Mr. HUBERT. In other words, the cars were removed from the space that the cameras were ultimately placed?

Captain TALBERT. No, sir; they would have been on the opposite side.

Mr. HUBERT. Do you remember the removal of the cars that were in the spaces ultimately and later occupied by the TV cameras?

Captain TALBERT. The TV cameras were the ones that were set up as permanent installations. They were already set up, and there were no cars there when I arrived in the basement.

Mr. HUBERT. That was at what time?

Captain TALBERT. Again an approximation of 10 o'clock; in the vicinity of 10.

Mr. HUBERT. You did not give orders for the clearing of that space of automobiles so that the cameras could occupy that space?

Captain TALBERT. No, sir.

Mr. HUBERT. Do you know who did give such orders?

Captain TALBERT. No, sir; I don't know that they were given.

Mr. HUBERT. Do you know of any orders to the effect that the news media were to be kept behind the railing? That is to say, on the east side of the railing that divided the ramp from the garage area?

Captain TALBERT. No, sir. Although I was in and out of the basement, it might have occurred, but it didn't occur while I was in the basement. Now Chief Batchelor did rearrange the news media, I think, on two different times. He was trying to arrange them in a better situation for us.

Mr. HUBERT. Did you observe that?

Captain TALBERT. No, sir; I wasn't in the basement when either move was made. May I inject here that I was operating a patrol platoon, and this was extracurricular.

Mr. HUBERT. What you say is that you believe, or have learned that Chief Batchelor made two efforts, to your knowledge, to change the press position?

Captain TALBERT. I have been told that; yes, sir.

Mr. HUBERT. Do you remember a conversation by telephone that you had with Lieutenant Pierce at Parkland Hospital after the shooting of Oswald?

Captain TALBERT. Not with Lieutenant Pierce; no, sir.

Mr. HUBERT. Did you have any with anyone else?

Captain TALBERT. I had several conversations from Parkland Hospital on the telephone after the shooting of Oswald.

Mr. HUBERT. Would you tell us about them, please?

Captain TALBERT. Well, I was at Parkland to clear the hospital and make sure that the chaos or confusion didn't transmit into the hospital itself, and also secure the area where the prisoner was being operated on. And the Governor was there. There was a peculiar situation in that he was on the same floor in close proximity to the operating room where Oswald was being operated on. I was trying to get all the confusion away from the room he was in. He was in the intensive care room. As soon as personnel was placed, I started making telephone calls trying to check to find out how the fellow got in the basement, the fellow being referred to, of course, as Ruby. And I don't recall a specific conversation with Lieutenant Pierce, although I am sure I did talk to him.

Mr. HUBERT. Do you recall anyone else you spoke to?

Captain TALBERT. Yes, sir.

Mr. HUBERT. Who would that be?

Captain TALBERT. I spoke to R. E. Vaughn. I spoke to Nelson. I spoke to, I believe, now let me see, I think I got a hold of Jez who was on the Commerce Street entrance. I was contacting the men on the various entrances to see how it could have happened, how he could have got in there. Is there such a thing as my correcting an error I made in my first deposition here?

Mr. HUBERT. Certainly; absolutely.

Captain TALBERT. I said in my first deposition, and I recall that after leaving, after my conversation with Chief Curry on the telephone that morning, I didn't talk to him again that day. And for some reason or other, I overlooked the fact that I did talk to him from the hospital. I talked to him twice, possibly three times. I called him, or rather was called by him at the hospital to find out what the condition of Oswald, the existing condition was, and then I called him back sometime during the middle of the operation when I got a report on it, and called back again to tell him the time of Oswald's death immediately after his death.

Mr. HUBERT. Did you speak to him about how the security had broken down during any of those three conversations?

Captain TALBERT. No, sir.

Mr. HUBERT. Did you see Patrick Dean, Sergeant Dean at Parkland?

Captain TALBERT. Yes, sir.

Mr. HUBERT. Did you speak to him?

Captain TALBERT. Yes, sir. As a matter of fact, he had assigned some of the men out there.

Mr. HUBERT. Did he say anything to you about what Ruby had told him as to how he had gotten into the basement?

Captain TALBERT. Yes, sir. That was the first information that I had received on how Ruby said he got into the basement, was from Dean.

Mr. HUBERT. I think you said that you spoke to Vaughn and Jez who were respectively at the Main Street and Commerce Street entrances?

Captain TALBERT. Yes.

Mr. HUBERT. When you spoke to Dean, was that before or after you had spoken to Vaughn?

Captain TALBERT. As I recall my contact—I had many contacts with Vaughn regarding, as you may well know, and as I recall that contact, it was after, because I was being rather dogmatic about who was around that entrance with Vaughn at the time. As I recall it, I may be in error here, it might have been after. I mean, it might have been prior to my contact with Dean, and then subsequent contact with Vaughn.

Mr. HUBERT. When you first talked to Vaughn, let's put it this way, did you know that Ruby claimed to have come through the entrance that Vaughn was guarding?

Captain TALBERT. I would like to answer you positively, Mr. Hubert, but I can't. It was the first or second contact. It possibly was the second, but I think it was the first. I believe it was the first.

Mr. HUBERT. Well, the conversation you had with Dean where he told you what Ruby had said about how he entered, was at the hospital site?

Captain TALBERT. Verbatim, you mean?

Mr. HUBERT. No. I mean when you talked to Dean and he told you about what Ruby had said, as to Dean, as to how he got in, that conversation with Dean was at the hospital?

Captain TALBERT. At the hospital; yes, sir. I am sorry, I thought you meant what was my conversation.

Mr. HUBERT. Had you talked to Vaughn prior to that time?

Captain TALBERT. I can't recall. I really can't recall, Mr. Hubert. I don't believe I had been able to get in touch with him. You see, getting into telephone contact with these people took a little time, and it also didn't occur until after I had cleared the lobby of the hospital and posted guards at the doors. But I can't recall. I mean I can't remember to give you a definite answer on that.

Mr. HUBERT. Did you talk to Pierce, Lieutenant Pierce about how Ruby came into the basement, if you recall?

Captain TALBERT. Many times.

Mr. HUBERT. I mean the first time that you talked to him, do you remember?

Captain TALBERT. I can't recall the first time. I can't recall actually getting in touch with Pierce from the hospital. Now I possibly did, but I was a busy man, and I can't recall.

Mr. HUBERT. When you did talk to Pierce about how Ruby claimed he entered into the basement, did he seem to know about it?

Captain TALBERT. No, sir. He was quite vociferous, in fact.

Mr. HUBERT. Vociferous in what way?

Captain TALBERT. Language. We wouldn't want to put it in this deposition, sir. By that I mean he was alleging that he had entered that Main Street entrance. Lieutenant Pierce said he couldn't have. And then the vociferousness.

Mr. HUBERT. It was a matter of emphasis on that point?

Captain TALBERT. Was an emphasis on Ruby's character, actually.

Mr. HUBERT. In other words, Pierce's reaction was that it was not true, so far as he knew?

Captain TALBERT. His reaction was startled, and that he even alleged that he came in that way, and that it couldn't possibly have been true.

Mr. HUBERT. By that you mean that the information conveyed to you by Pierce was that Ruby claimed to have entered through the Main Street entrance as Pierce went out, and Pierce's reaction was negative on that, and of a vociferous nature?

Captain TALBERT. And startled, as I recall. Sam can be rather positive in his views. He is positive in his views, not can be. And he was very positive in that.

Mr. HUBERT. Were you aware at anytime on the morning of the 24th that threats had come through concerning the harm to Oswald during the transfer?

Captain TALBERT. I am sorry?

Mr. HUBERT. Were you aware at anytime prior to Oswald's shooting that threats had come to the attention of the police department concerning the safety of Oswald?

Captain TALBERT. Yes, sir. That is the reason I took the action of—if you will analyze what I did with assigning the total personnel that I had assigned that day, and that included myself, including all the patrolmen and supervisors, I took all the precautions possible against mob action, and took elementary precautions against an individual action. And needless to say, from the subsequent events, it was unsuccessful.

Mr. HUBERT. Did you in fact address your consideration of security measures to both types of threats? That is, to the mob action and single action by one man?

Captain TALBERT. Right, sir. The individual officer on Main Street, for instance, we had the buildup of the crowd on the opposite side of the building on Commerce where the people obviously knew was an exit ramp, so the individual officer on Main Street was one of, if not the best patrolmen I have. He is the type person that you can depend on thoroughly, and quite sizable physically. I don't know whether you have met Vaughn or not, but if we went into physical

combat, I would want an edge on him of some sort. And if an individual had tried to attack him to get in, we had adequate personnel in the basement to take care of him if they got past. In my opinion, they would never have gotten past. If a mob had tried to attack him, we still had adequate personnel. We had a total of four—let me correct that. I know positively that we had three tear gas cases down there as well as numerous shotguns or side arms, and we could have taken care of mob action with the short notification we would have had after they go past Vaughn.

Mr. HUBERT. I think you said earlier that you took elaborate precautions against a mob, but I think you used the word elementary. What do you mean by that? What contrast do you mean to point out?

Captain TALBERT. Really, you can erase it. With the normal procedure, the precautions taken were adequate either way, with normal procedure. But capricious, if as this investigation has developed, the entry of Ruby occurred at the time and place in which he said it was, and which apparently is true, capricious fate entered into it on the time element for sure at the exit of a vehicle on an entrance ramp, which is the first time that occurred in a number of years. Something I certainly didn't foresee, and that is what I was referring to when I said elementary.

Mr. HUBERT. In your opinion, what would have been completely adequate security against one-man action?

Captain TALBERT. Secret transfer.

Mr. HUBERT. By secret, you mean done in such a way and in such a manner that there would not have been a crowd around? Transferred at night?

Captain TALBERT. No announcement. We know that now. It is quite obvious now.

Mr. HUBERT. What you are saying is, to guard against one-man action you have to do it in such a way that there are not a great many people around?

Captain TALBERT. Anybody can be murdered by an individual who is willing to give up his life to do so. I don't care who it is or where it is, he can be murdered if he wants to give up his life to do it and has adequate time, and the only way to prevent it is to keep him completely away from him and to do it effectively, it has to be a surreptitious action. It can't be an open action.

Mr. HUBERT. It can't be, in other words, where there are lots of people milling around?

Captain TALBERT. That's right, or where a lot of people have knowledge of it. If a lot of people have knowledge of the action, in itself that constitutes a danger.

Mr. HUBERT. Captain Talbert, in your deposition on March 24, 1964, you identified an exhibit which was given Exhibit No. 5066 then, which contains at the very bottom of that page the following sentence, to wit: "He stated in the rush to get into the basement where the loading ramp was located and Oswald was being brought down from the jail, it is highly possible that Jack Ruby may have walked down the ramp with the newspapermen unnoticed." Now two questions I would like to explore there. What was the rush to get into the basement?

Captain TALBERT. I made an exception to that.

Mr. HUBERT. What was the exception?

Captain TALBERT. It either was through my semantics or their shorthand. It just isn't true. There was no rush.

Mr. HUBERT. Is that comment true about the second thought contained in that sentence, and that is, "it is highly possible that Ruby may have come along with the newspapermen unnoticed"?

Captain TALBERT. At first we were contemplating—I am sorry, wrong word—we had information, and this was by some unknown person, that Channel 5 camera coming through the door late, the last camera that come down, started in with a two-man crew and ended up with a three-man crew, and that is what I was referring to there. That was proved to be untrue. One of the newsmen who was already in there stepped up to help steady the camera as it come around the threshold.

Mr. HUBERT. That is what you had reference to?

Captain TALBERT. That is what I had reference to; yes, sir. And this rushing newspaperman, I am sure it is probably my poor English semantics.

Mr. HUBERT. Do you know how the press knew that the route would be through the basement area there?

Captain TALBERT. Sorry, sir; I didn't hear your question.

Mr. HUBERT. Do you know how the news people knew that the route would be through the basement area?

Captain TALBERT. No, sir. May I back up? When you say how the route would be, you mean whether it would be from the jail office elevator, or from the other elevator?

Mr. HUBERT. Or from any other way.

Captain TALBERT. No, sir; I have no idea.

Mr. HUBERT. It was apparent, though, that it would be that way, from the general setup of things?

Captain TALBERT. The normal procedure would have been that way; yes, sir.

Mr. HUBERT. You mean on that morning, the fact of the arrangement of the cameras and bringing up of the armored truck and so forth would have indicated that?

Captain TALBERT. Yes; it would have indicated it.

Mr. HUBERT. I believe that is all, Captain Talbert, unless there is something you wish to say.

Captain TALBERT. Can we get off the record and ask you a question?

Mr. HUBERT. Yes; we have to put it back on the record.

(Discussion off the record.)

Mr. HUBERT. You have brought up a point that you said you wished clarified, and it was to this effect. You stated to me during the off-the-record discussion that while you were at the hospital, Captain Fritz came to you and asked you whether or not you had told him to come ahead, at which time you said to him, "Yes." You say to me now that what you had in mind when you told him "Yes," that you had said to him "Come on ahead" was an earlier conversation or telephone call that you had had with Captain Fritz, and not the come-ahead signal just prior to the Oswald movement.

Captain TALBERT. Actually, the earlier call was to Fritz' office, and I talked to a Detective Beck. Captain Fritz was interrogating the prisoner and couldn't answer the phone, so I told Detective Beck to pass on the information to him that the basement had been searched. Whether he ever received that information or not, I don't know.

Mr. HUBERT. It is your understanding now that Captain Fritz thought when you told him "Yes" at the hospital, that you had given the all-clear signal, you thought he was referring to the telephone call?

Captain TALBERT. Yes, sir.

Mr. HUBERT. But apparently he thought you were referring to an all-clear signal just prior to the exit of Oswald from the jail?

Captain TALBERT. From the jail elevator; yes.

Mr. HUBERT. To get the whole matter straight, your point is you did not give an all-clear signal to Captain Fritz just before Oswald was brought out of the jail, is that correct?

Captain TALBERT. That is quite true. I was out in the driveway and didn't know Oswald was down myself. Lieutenant Wiggins has given a deposition clarifying his asking about it coming off of the elevator, but I thought if a conflict arose in Captain Fritz' deposition, this possibly would clear it up.

Mr. HUBERT. What you have told us just now, does it cover everything you told me off the record?

Captain TALBERT. Yes, sir.

Mr. HUBERT. All right, sir; is there anything else?

Captain TALBERT. It's been a pleasure talking to you.

Mr. HUBERT. Then I will just ask you this general question. Has everything that we have talked about this morning been covered in the record in one way or another?

Captain TALBERT. Yes; it has.

Mr. HUBERT. All right, sir; thank you very much. I appreciate your coming down again.

TESTIMONY OF MARJORIE R. RICHEY

The testimony of Marjorie R. Richey was taken at 2:40 p.m., on July 21, 1964, at 200 Maryland Avenue NW., Washington, D.C., by Mr. Burt W. Griffin, assistant counsel of the President's Commission. Mr. Harold Richey also was present.

Mr. GRIFFIN. It is customary in starting these depositions for the interrogator to introduce himself. My name is Burt Griffin. I am a member of the staff of the general counsel's office of the President's Commission on the Assassination of President Kennedy. The Commission has been authorized as a result of an Executive order issued by President Johnson November 29 and as a result of a joint resolution of Congress to investigate into and to report back to the President on all the facts surrounding the assassination of President Kennedy and the death of Lee Harvey Oswald. We have a set of procedures which have been set up by the Commission acting under the authority of the Executive order and the joint resolution, and under the procedures I have been given authority to take your deposition.

Now the general area of inquiry that we are going to be dealing with in particular this afternoon has to do with the death of Lee Harvey Oswald and most particularly what you, Mrs. Richey, know about Jack Ruby and any contacts you had with him in particular in the few days just before Oswald was killed. However, if you have any information that might be of use to the Commission in any other area that we are investigating, why of course, we would like very much to hear about it.

Did you receive a letter from the Commission requesting you to come here? Would you state for the record when you received that letter?

Mrs. RICHEY. I got two.

Mr. GRIFFIN. When was the most recent?

Mrs. RICHEY. The first one was sent to Dallas. This was before Harold and I were married. You had better stop because I am wrong. Hal and I were married in December and I talked to the FBI before this, and they had my name Ethier, that was before I was married. They had my address in Dallas. So Hal and I moved up here. They sent the letter to my home in Texas and my sister signed for the letter, and then she called me and she sent it to me airmail special delivery. So I could read it myself, and it took 3 days.

Mr. GRIFFIN. What we are concerned about, of course, is the most recent letter that you got in connection with this appearance.

Mrs. RICHEY. This is it, and I got it yesterday.

Mr. GRIFFIN. You are entitled under the rules of the Commission to have written notice 3 days in advance of your appearing here.

Mrs. RICHEY. I wished I had known that.

Mr. GRIFFIN. I will ask you if, nonetheless, you are willing to go ahead.

Mrs. RICHEY. Oh; let's go ahead.

Mr. GRIFFIN. And give us the testimony. Do you have any questions before we start about the nature of the investigation?

Mrs. RICHEY. No; I don't think so.

Mr. GRIFFIN. I don't know if there is anything that I could clarify for you. I think it fairly obvious from what I have said the general areas we are going to cover. Let me ask you to raise your right hand then and I will administer the oath to you. Do you solemnly swear the testimony you are about to give is the truth, the whole truth, and nothing but the truth; so help you God?

Mrs. RICHEY. I do.

Mr. GRIFFIN. Would you give us your full name, please?

Mrs. RICHEY. Marjorie Ruth Richey.

Mr. GRIFFIN. How do you spell your last name?

Mrs. RICHEY. R-i-c-h-e-y.

Mr. GRIFFIN. Where are you presently living, Mrs. Richey?

Mrs. RICHEY. In Mentor, Ohio.

Mr. GRIFFIN. When were you born?

Mrs. RICHEY. 1944.

Mr. GRIFFIN. How long have you lived in Mentor, Ohio?

Mrs. RICHEY. About 6 months.

Mr. GRIFFIN. Where was your home before that?

Mrs. RICHEY. Irving, Tex.

Mr. GRIFFIN. Are you a native of Texas?

Mrs. RICHEY. Yes.

Mr. GRIFFIN. Where did you live in Irving, Tex.?

Mrs. RICHEY. The previous address, the last one that we lived at was 134 West Lively.

Mr. GRIFFIN. Where were you living on November 22, 1963?

Mrs. RICHEY. 2215 Cunningham.

Mr. GRIFFIN. Is that also Irving, Tex.?

Mrs. RICHEY. Yes.

Mr. GRIFFIN. At that time were you employed by Jack Ruby?

Mrs. RICHEY. Yes.

Mr. GRIFFIN. What was the nature of your employment with him?

Mrs. RICHEY. I was a waitress.

Mr. GRIFFIN. What club did you work at?

Mrs. RICHEY. Carousel.

Mr. GRIFFIN. How long had you worked for Mr. Ruby?

Mrs. RICHEY. Since June of the same year.

Mr. GRIFFIN. Had you ever worked for him before?

Mrs. RICHEY. No.

Mr. GRIFFIN. Did you work for him continuously from June until November 22?

Mrs. RICHEY. Yes.

Mr. GRIFFIN. Would you work every night of the week or did you have some nights off?

Mrs. RICHEY. Sometimes I worked every night and sometimes I got a night off. Never a regular day off.

Mr. GRIFFIN. Were you on a salary?

Mrs. RICHEY. No.

Mr. GRIFFIN. How were you paid?

Mrs. RICHEY. Tips. That is what we earned our money by, tips.

Mr. GRIFFIN. How many other waitresses were there normally at the Carousel Club?

Mrs. RICHEY. Before this happened?

Mr. GRIFFIN. Before the 22d of November; yes.

Mrs. RICHEY. Generally three or four.

Mr. GRIFFIN. And were they all paid on a tip basis?

Mrs. RICHEY. Yes.

Mr. GRIFFIN. Can you give us any idea of what your normal amount of tips would be that you would get in a week?

Mrs. RICHEY. In a week?

Mr. GRIFFIN. Yes.

Mrs. RICHEY. It varied so much.

Mr. RICHEY. May I ask a question, please?

Mr. GRIFFIN. Sure.

Mr. RICHEY. This testimony she is giving to you now on the amount of money that she earned, can this be used by Internal Revenue?

Mr. GRIFFIN. If you would rather not talk about it, it is all going to be a matter of record, and if this is an area that you would rather not go into—

Mr. RICHEY. It is not that. It is just as you know none of these girls pay taxes and they can come back on this.

Mr. GRIFFIN. Let's not go into this then. What I am trying to get at is to get some idea of what the people who worked for Ruby were making.

Mrs. RICHEY. I was telling the truth though. It really varies. Some nights you may make a dollar and the next night you may make \$50. It just depends.

Mr. GRIFFIN. Do you think there were nights when you made as much as \$50?

Mrs. RICHEY. I never did but I mean there were waitresses that did, but they had been, you know, working as waitresses a lot longer than I had.

Mr. GRIFFIN. What were your hours at the Carousel Club?

Mrs. RICHEY. 7:30 to about 1:30.

Mr. GRIFFIN. What time did the shows start at the club?

Mrs. RICHEY. 9 o'clock.

Mr. GRIFFIN. Did you come to work on the night of Thursday, November 21? That is the night before President Kennedy arrived in town.

Mrs. RICHEY. Oh, gosh, I don't know really.

Mr. GRIFFIN. President Kennedy was assassinated on Friday. Do you have any present recollection of having been there?

Mrs. RICHEY. I must have probably.

Mr. RICHEY. Yes; you worked there a week before I left. I worked on the 20th.

Mrs. RICHEY. Then I did.

Mr. GRIFFIN. I take it from what you said though that November 21 was not a night when you remembered anything in particular about what happened?

Mrs. RICHEY. No.

Mr. GRIFFIN. Were you aware before the President arrived in Dallas that he was coming to Dallas?

Mrs. RICHEY. I don't even really know that for sure.

Mr. GRIFFIN. Do you have any recollection of having talked with Jack Ruby or Jack Ruby ever having mentioned anything about the President's coming to Dallas?

Mrs. RICHEY. No.

Mr. GRIFFIN. Were you familiar with a dancer by the name of Tammi True?

Mrs. RICHEY. I knew her as a speaking acquaintance, but as far as really being friendly with her, no.

Mr. GRIFFIN. Do you recall that during the week before the President was assassinated, that Tammi quit her job or left her employment with Mr. Ruby?

Mrs. RICHEY. I know she quit; but I can't say that it was right there in that week. I can't remember these things.

Mr. GRIFFIN. Can you tell us what you remember about the circumstances under which she quit?

Mrs. RICHEY. Under which she quit?

Mr. GRIFFIN. Yes. Did she have an argument with Mr. Ruby or what was the reason that you know about?

Mrs. RICHEY. I don't know really. I don't remember.

Mr. GRIFFIN. Directing your attention to the day that the President was killed which is Friday, November 22, do you remember where you were at the time that you first learned President Kennedy had been shot?

Mrs. RICHEY. I was in bed asleep.

Mr. GRIFFIN. And how did it come to your attention?

Mrs. RICHEY. My mother was watching "As the World Turns" and she woke me and she says, "The President's been shot" and I said, "huh." And she said, "Yea." I said, "You are kidding" and she said, "come here and see it. It is on the TV." I had just got in there and then they were down there, the reporters and all were down there, and that is where I was at.

Mr. GRIFFIN. What was the first contact you had that day on the 22d with anybody associated with the Carousel Club?

Mrs. RICHEY. With Andrew I guess. I am not real sure. Now I can't be positive about these things. I remember more after he was killed because I was asked questions about it, you know, about the days afterwards. But before they didn't ask me and they don't stick in my mind.

Mr. GRIFFIN. Maybe your question isn't clear. I am asking you after you heard that the President had been shot——

Mrs. RICHEY. The President had been shot?

Mr. GRIFFIN. Yes; when did you next hear from or talk to somebody connected with the club?

Mrs. RICHEY. I must have talked to the man that kept bar, because I think that I called him and asked him if we were going to be open that night because it was saying that the rest of the clubs were going to be closed.

Mr. GRIFFIN. Who was that man?

Mrs. RICHEY. Andrew Armstrong.

Mr. GRIFFIN. Do you recall where you telephoned him at?

Mrs. RICHEY. At his home.

Mr. GRIFFIN. Did he—you have any clear recollection of this?

Mrs. RICHEY. I remember that I talked to Andrew but I don't remember if I talked to someone else before. Okay.

Mr. GRIFFIN. How did you first learn that the clubs were going to be closed?

Mrs. RICHEY. Well, I must have talked to Andrew two or three times that day because he didn't know for sure or not. No, that wasn't right; or was it. Wait, I've got to think a minute.

Mr. GRIFFIN. Take your time.

Mrs. RICHEY. I talked to Jack the night before he killed Lee Harvey Oswald. I talked to Jack over the phone, and he told me that the clubs were going to be closed, but I thought it was on a Saturday night. Didn't he kill Oswald on a Sunday?

Mr. GRIFFIN. That is right.

Mrs. RICHEY. Well, I can't remember now. I told the FBI and they know the real date and I can't even remember right now if it was Friday night or Saturday night that I talked to him?

Mr. GRIFFIN. You indicate on the 26th of November when you talked with the FBI that you talked to Ruby around noon on Saturday, the 23d.

Mrs. RICHEY. That is the day after the President was shot, so that was Saturday.

Mr. GRIFFIN. Yes.

Mrs. RICHEY. So that is right. I talked to him the day before. But I don't think it was noon and I don't think I told him it was noon. It seems like it was later in the evening. It may not have been. I can't really remember.

Mr. GRIFFIN. Let's think about Friday. I am trying to get at what you might have learned about the clubs on Friday. Did you go to work on Friday?

Mrs. RICHEY. I don't remember that either.

Mr. GRIFFIN. What did you do the evening that the President was shot?

Mrs. RICHEY. No, we were closed; yes, because we were closed on Friday, Saturday, and Sunday.

Mr. RICHEY. If I can help, you called me. You had called me.

Mrs. RICHEY. On the Friday? I am sure now. I almost positive that we were closed on Friday, Saturday, and Sunday, because everything else was closed. I am pretty sure that they were closed.

Mr. GRIFFIN. Your husband suggested that you called him sometime?

Mrs. RICHEY. Yes.

Mr. GRIFFIN. On Friday. What do you remember about that telephone conversation?

Mrs. RICHEY. Nothing. I mean he was watching television. No, did I call you then? Are you sure?

Mr. RICHEY. You called me late Friday afternoon.

Mrs. RICHEY. I don't remember that either. I remember talking to you when Jack shot Lee Oswald. I am sorry.

Mr. GRIFFIN. Do you have any recollection whether on Friday you knew that the clubs were going to be closed for all 3 days?

Mrs. RICHEY. I am pretty sure. No, our club was going to be closed. If I am not mistaken they were closed on Friday, Saturday, and Sunday.

Mr. GRIFFIN. When did you first learn that it was going to be closed for 3 days?

Mrs. RICHEY. I think Andrew must have called me Friday and told me that we were going to close that night, and then the next day I called him to find out. It seems like that is the way it was, that I called him to find out if we were going to work and he told me to call Jack and I called Jack and Jack told me that we were going to be closed Saturday and Sunday. If I am not mistaken that is the way it was.

Mr. GRIFFIN. Where did you call Jack?

Mrs. RICHEY. At his apartment.

Mr. GRIFFIN. And you have indicated that you think it was sometime other than noon?

Mrs. RICHEY. I can't be real sure. To me right now it seems like that it was later than noon. It may not have been. I am not real sure.

Mr. GRIFFIN. Do you think your recollection on the 26th of November about it would have been better than it is now?

Mrs. RICHEY. Oh, definitely; yes.

Mr. GRIFFIN. Let me ask you. Some people I think perhaps who knew Jack were upset and nervous and perhaps didn't really remember accurately, weren't able to accurately state what did happen when they were first interviewed. Were you so nervous and upset about it that you wouldn't have remembered accurately on the 26th of November what you had done on Saturday? What was your state of mind?

Mrs. RICHEY. I was pretty shaken up, I know that. It is a pretty terrible thing to have happened, so close to you, you just don't think it can.

Mr. GRIFFIN. Let me mark for identification here what is a report of an interview which two agents of the FBI, Peggs and Zimmerman, had with you on November 26. I am going to mark that Marjorie R. Richey Deposition Exhibit No. 1, July 21, 1964, Washington, D.C.

(The document referred to was marked Marjorie R. Richey Deposition Exhibit No. 1 for identification.)

Mr. GRIFFIN. I will give you a chance to read it. Look that over and see if that interview report refreshes your recollection in any way.

Mrs. RICHEY. I don't believe I said "several years ago."

Mr. GRIFFIN. Would you read the sentence that you are referring to?

Mrs. RICHEY. It says:

"Mrs. Ethier has been working at the Carousel since"—no, that is wrong. "She first met Jack Ruby several years ago through her sister."

I don't think I said several years ago, because I know now I might have said that but I know that it wasn't several years, I am sure.

Mr. GRIFFIN. How long before the 22d of November, 1963, did you think you met Jack?

Mrs. RICHEY. About a year before that, because Janice, we call her Nice and Janice—had been working there for about a year I think. Now these aren't accurate dates, but about a year. I don't believe I said several years. I may have. I mean like you said I might have been upset and I was nervous. As far as I know except for that "several years" that is right.

Mr. GRIFFIN. Then is it your best recollection at this time that it is accurate that you called Jack Ruby about noon on Saturday?

Mrs. RICHEY. That is something else I can't be sure about. It may have been noon. I just don't remember. To me it seemed later than that, but it may not have been.

Mr. GRIFFIN. Now how long did you talk with Jack on that occasion?

Mrs. RICHEY. Not but just a few minutes.

Mr. GRIFFIN. Do you remember anything he said to you?

Mrs. RICHEY. I remember I called him and I said, "Jack, this is Margie." He said, "Yes." and I said, "Could you tell me if we are going to be open tonight?" and he said, "No, isn't it terrible?" and I said, "Do you mean about the President?" and he said, "Yes." and his voice was shaking and this isn't like him.

I mean it really was. And then I said, "Well, we are not going to be open." because I didn't want to go into it because that is what everybody was talking about, and I, you know. So then he said, "No, we won't be open tonight or tomorrow night."

"Sunday night" I believe is what he said. We were always open 7 days a week and this was unusual to me because Jack very seldom ever closed the club. So I mean this is why I can pretty well remember this. I could see him staying closed one night, but the other two clubs in Dallas were opening, so I figured you know that he would.

Mr. GRIFFIN. How did you know that they were?

Mrs. RICHEY. It was in the paper.

Mr. GRIFFIN. Had you checked the newspaper before you called him?

Mrs. RICHEY. I don't remember that. I must have.

Mr. GRIFFIN. In Irving do you get a Dallas paper?

Mrs. RICHEY. Yes.

Mr. GRIFFIN. Did you subscribe to a Dallas paper at that time?

Mrs. RICHEY. I can't remember that. I lived with my parents at the time that this happened, and if there was a Dallas morning newspaper there, well

then it could have been before noon. But if there wasn't a morning newspaper there it had to be a Times Herald and that comes in the afternoon, and I don't remember which paper I read.

Mr. GRIFFIN. Now on Friday or Saturday did you talk with any other people connected with the Carousel Club except for Andy Armstrong and Jack Ruby?

Mrs. RICHEY. I don't know.

Mr. GRIFFIN. Did you talk with Little Lynn?

Mrs. RICHEY. No. I don't know any of the showgirls. I mean the only girls that I was friendly with at all was the other waitresses. I mean I would talk to them, you know, like that, but as far as really you know, knowing them or anything like that, well I didn't. It was just the other waitresses. And I may have talked to Bonny or Becky, I don't remember.

Mr. GRIFFIN. Did you talk to or see Jack Ruby again after——

Mrs. RICHEY. After I talked to him on Saturday?

Mr. GRIFFIN. Yes.

Mrs. RICHEY. No.

Mr. GRIFFIN. Since then have you talked with anyone or learned anything about when Jack first got the idea about shooting Lee Oswald?

Mrs. RICHEY. We talked this at the club. I mean everybody was talking about it. But as far as anybody saying that—when he was going to shoot Oswald or anything like this, I don't recall.

Mr. GRIFFIN. Did you talk with Kathy Kay at all?

Mrs. RICHEY. No. In fact I think I just saw Kathy Kay one time after the club was reopened—was all that I saw her.

Mr. GRIFFIN. Didn't she come back to work?

Mrs. RICHEY. No; she didn't.

Mr. GRIFFIN. How long had she been working there?

Mrs. RICHEY. Longer than I had.

Mr. GRIFFIN. Did you think it was unusual that she didn't come back to work?

Mrs. RICHEY. Well, not really. She went with a policeman in Dallas, so to me I think this, you know, he would have probably felt that this would look bad on him for Kathy working there. This was my impression, I mean.

Mr. GRIFFIN. Did you know this policeman that she was going with?

Mrs. RICHEY. I don't know his name and I doubt if I'd know him if I saw him today, but I mean he had come in the club and I remember he was a real tall guy, nice built, but I don't even remember his name.

Mr. GRIFFIN. Was it your understanding that she was living with this policeman before the 22d of November?

Mrs. RICHEY. That was my impression.

Mr. GRIFFIN. How did you get that impression?

Mrs. RICHEY. Other girls talking.

Mr. GRIFFIN. Did you know where they were living?

Mrs. RICHEY. No.

Mr. GRIFFIN. Had you heard anything to the effect that they were living near Jack?

Mrs. RICHEY. No.

Mr. GRIFFIN. Did she come to work at all after, Kathy Kay? Did she come to work at all to your recollection after Jack shot Oswald?

Mrs. RICHEY. I quit work the day before New Year's, wasn't it, because I wouldn't work New Year's night—yes, and from the time that Oswald was killed—the time I quit—she hadn't worked again, but I had seen her one time, and I believe that she had come after her costumes, but I can't even be real sure about that but it seems like that is why she was there and she was crying. I remember that. I don't know why she was crying. Now she talked to some of the other waitresses but I never did find out why she was crying.

Mr. GRIFFIN. Can you give us the names of the other waitresses who talked with her?

Mrs. RICHEY. Was Dianna a waitress? Let me clarify myself. Dianna is a waitress; but she also was a showgirl.

Mr. GRIFFIN. Is that Dianna Hunter?

Mrs. RICHEY. Yes; he knows them better than I do. She also worked as a waitress and a showgirl too. Now this is the only one that I know anything

about, but like I say only the waitresses. And I believe she talked to her. It seems like there was two, but I don't remember the other one.

Mr. GRIFFIN. Did you actually see Kathy Kay crying or did you hear that she was?

Mrs. RICHEY. I sat down at the table that they were sitting at. It seems like there was three girls sitting there and I sat down and somebody came in the door and I got up. She had a Kleenex and a cup of coffee or tea or something in a cup and she was wiping tears away.

Mr. GRIFFIN. How long was that after Oswald was shot; how many days?

Mrs. RICHEY. I don't remember that; not even approximately. It couldn't have been too long though. I don't even know.

Mr. GRIFFIN. When did you first go to work after Oswald was shot?

Mrs. RICHEY. I can't remember if I went to work Monday or Tuesday. The same night the club opened I went back to work, and I can't remember now if that was the following Monday. It seems like it was, but it may have been Tuesday. I don't know.

Mr. GRIFFIN. By the following Monday you mean the very next day?

Mrs. RICHEY. Yes.

Mr. GRIFFIN. Or the day after.

Mrs. RICHEY. The same week that it happened.

Mr. GRIFFIN. Did you see this boy friend that Kathy Kay was going with at all after Oswald was shot?

Mrs. RICHEY. No.

Mr. GRIFFIN. Did Little Lynn continue to work at the club after Oswald was shot?

Mrs. RICHEY. Yes.

Mr. GRIFFIN. Did she work there until you left in January?

Mrs. RICHEY. No; she quit before I quit. Now I don't know when she quit, but she quit before I did.

Mr. GRIFFIN. Do you know why she quit?

Mrs. RICHEY. Well, I don't know why she quit; but that was the same day—something was in the newspapers about her and right now I don't remember what it was, because there was quite a bit about her in the newspaper.

Mr. GRIFFIN. Was that the time she carried the gun into the courtroom?

Mrs. RICHEY. That might have been it. I don't remember really, because there was one time that she was kidnaped or lost or ran away or something and they get confused in my mind and I am not real sure.

Mr. GRIFFIN. Did you talk with her, Little Lynn that is, at all after Oswald was shot?

Mrs. RICHEY. If I did I don't remember what was said or if I even did talk to her. I am not real sure.

Mr. GRIFFIN. Have you heard anything which would indicate what information she may have had that Ruby was going to shoot Oswald?

Mrs. RICHEY. No; I hadn't even heard anything to that effect.

Mr. GRIFFIN. Have you heard anything about how she happened to make the telephone call to Ruby? Did you know that she made a telephone call to Ruby early Sunday morning?

Mrs. RICHEY. For rent?

Mr. GRIFFIN. Yes.

Mrs. RICHEY. Isn't that why she called him? I read that in the paper?

Mr. GRIFFIN. Did you ever talk with her about it?

Mrs. RICHEY. No.

Mr. GRIFFIN. Did you ever hear any of her story about why she called him?

Mrs. RICHEY. No; that was the only reason I knew was that she needed some rent, and the way it went in the paper was that Jack went down to the telegraph office before he went to shoot Oswald to send her the money.

Mr. GRIFFIN. This is a repetitive question. I ask you again do you recall on Friday or Saturday seeing anybody else from the Carousel Club besides Jack Ruby?

Mrs. RICHEY. I didn't see anybody.

Mr. GRIFFIN. Or talking. You didn't see anybody and you didn't talk to anybody besides—

Mrs. RICHEY. Not unless it was Bonny or Becky and I may have talked to them.

Mr. GRIFFIN. Who are Bonny or Becky?

Mrs. RICHEY. They are waitresses at the club.

Mr. GRIFFIN. What is Bonny's last name?

Mrs. RICHEY. I don't know. Becky's is Jones.

Mr. GRIFFIN. So at the time on the 22d there were four waitresses at the club, Dianna Hunter, Becky Jones, Bonny and yourself?

Mrs. RICHEY. I don't remember if Dianna was dancing or if she was waitressing. I am not real sure about that even right now. She was doing one or the other. She was there. I just can't remember which one it was.

Mr. GRIFFIN. Well now did the girls, while they were employed as dancers, also serve as waitresses to some extent?

Mrs. RICHEY. There was one girl that did.

Mr. GRIFFIN. Who was that?

Mrs. RICHEY. I don't remember her name. The first time I ever met her, she was an amateur dancer.

Mr. GRIFFIN. Was Jack employing her as an amateur?

Mrs. RICHEY. Yes; but then sometimes she'd work as waitress and then one night one of the girls didn't show up or something. I think this was on a Sunday night. This was before this happened I mean, and one of the girls didn't show up and Jack asked her if she would dance, and I think she danced, and we had three shows, I mean you know, it was continuous, but it was three shows, and she danced. And then—you will have to pardon me, I have to recollect this in my mind.

Then it seems like she come back down after she got through dancing and was waitressing some more, and she did I think until her next number, and then Jack told her that I could handle the floor by myself. And I can't remember if Dianna ever waitressed and danced at the same time. I don't remember that. She might have. Just right now I can't remember but that girl I happen to know because I was working by myself.

Mr. GRIFFIN. Did the dancers mix with the customers in between their acts?

Mrs. RICHEY. Yes.

Mr. GRIFFIN. And am I correct in assuming that the purpose of this was to induce the customers to buy drinks and so forth?

Mrs. RICHEY. Yes.

Mr. GRIFFIN. And did the customers buy drinks for the girls as well as for themselves?

Mrs. RICHEY. The only thing you can buy in Texas, I don't know if you know this, is setups and champagne. You can't buy liquor across the bar. And so if they were drinking, well you know they had a bottle, and if not they had bought, you know, drinks for the girls, too.

Mr. GRIFFIN. Do you remember an incident that occurred with Jack's stripper Jada? Can you tell us about that?

Mrs. RICHEY. I can't give you details on it. I can tell you what I know about it.

Mr. GRIFFIN. Tell us what you observed, not what you heard from other people but what you actually saw take place.

Mrs. RICHEY. What I saw Jada do?

Mr. GRIFFIN. Yes.

Mrs. RICHEY. She was from New Orleans, and she kind of danced a little bit different from what I was used to seeing. I don't know how you would explain it. A G-string, is that what you call it, she popped it, if I can make you understand what I am talking about, and I saw her do this one time, and Jack would cut the lights out on her and she'd get mad. Now this is what they had the fight about, because Jack would shut the lights out on her when she got too dirty for him. I mean he'd just shut the lights out. And so if I am not mistaken this is what they kept arguing about. Finally they went to court one night. But this was because that she had popped her G-string again. But I didn't see it that night. Becky did, and she went down to court with him and they were gone quite awhile. But Jada won and he had to pay her and then she left. And that was Jada.

Mr. GRIFFIN. Did Jack threaten her or hit her in any way?

Mrs. RICHEY. I don't know if he hit her.

Mr. GRIFFIN. Did he threaten her in any way?

Mrs. RICHEY. You have got to understand I'm working there while all this is going and I can't recall him saying anything. I don't even know if he hit her, because her dressing room was like this and then back down, and so it was, you know, you couldn't see it from where we worked. And I know they were hollering. But now I can't tell you what they were saying. I just know they were kind of raising their voices.

Mr. GRIFFIN. Had you seen her snap this G-string on more than one occasion?

Mrs. RICHEY. No; I just happened to see her this one time and that was the first night she was ever there that she did this, and then she was wearing less than what the other girls were wearing, and Jack made her get a different little dohickey more.

Mr. GRIFFIN. Now she started work there in the middle of the summer, didn't she?

Mrs. RICHEY. She couldn't have started in the middle of the summer. She didn't come until after I was working there, and I know it was after I was working there but I don't remember the date.

Mr. GRIFFIN. You started in June?

Mrs. RICHEY. I started in June.

Mr. GRIFFIN. Do you recall if Jada was there by Labor Day?

Mrs. RICHEY. Labor Day is in September; isn't it?

Mr. GRIFFIN. Yes.

Mrs. RICHEY. I can't remember. I remember she was a big draw card. I mean you know people really came to see her for awhile there.

Mr. GRIFFIN. This incident with the G-string though, you saw it in the very first act?

Mrs. RICHEY. The very first time she was ever up there, I mean you know we'd heard so much about the big great Jada and we were really thinking boy this is going to be different; and it was. But here—Jack told her that she couldn't do that, that she'd have to get more clothes on than what she had on. She couldn't do that in Texas.

Mr. GRIFFIN. Did she then put on more clothes?

Mrs. RICHEY. I can't remember if she did the same night or not but I know finally she did get some little other things.

Mr. GRIFFIN. Did he have troubles with her though after the first night?

Mrs. RICHEY. They were generally fussing about a lot of things. I mean I don't remember what they are, but that was the one thing that I know was the big thing as far as I know. But the rest of the things I don't know. I mean he'd fuss at her because she's late and it seems like she went to New Orleans one time for her son or something like this, and she didn't get back, and he kind of got mad about this. But that is all I remember them fussing about is just those two incidents, and her being late.

Mr. GRIFFIN. Did you notice anything about Jack in the 2 or 3 months before he shot Oswald that would indicate that he was more or less disturbed about things in general than he had been on other occasions?

Mrs. RICHEY. No; I don't think so.

Mr. GRIFFIN. Jack's behavior in the month, would you say that Jack's behavior in the month or so before the President arrived was typical of his behavior at other times?

Mrs. RICHEY. I didn't pay particular attention, but I mean to me it seems like that this wasn't any change at all.

Mr. GRIFFIN. Do you recall any arguments or differences of opinion that he had with any of his MC's, masters of ceremony?

Mrs. RICHEY. Wally Weston.

Mr. GRIFFIN. What was that?

Mrs. RICHEY. I don't know what it was. I just remember that Wally was a good MC. I mean he was the best that they had ever had, and something happened and I don't know what it was, but Wally either quit or got fired, and I was there the night that he quit, but they were hollering, and when Jack hollers you don't understand what he is saying because he has got a little bit of an accent

and it kind of goes, you know, all together. To me he has an accent. To somebody else he might not.

Mr. GRIFFIN. When did this occur?

Mrs. RICHEY. You ask dates and I can't tell you dates.

Mr. GRIFFIN. About how long before the President was shot?

Mrs. RICHEY. I don't know. I don't have any idea.

Mr. GRIFFIN. Was it as much as 3 months?

Mrs. RICHEY. I can tell you the the MC's we had after him.

Mr. GRIFFIN. All right, who were the MC's?

Mrs. RICHEY. Sal Vincent. Remember the guy that sang—

Mr. GRIFFIN. Was that Johnny Turner?

Mrs. RICHEY. I believe it was. Yes; he is the one that had it, what do you call it, dummies, ventriloquist. There was one that was there—now, that was after.

Mr. GRIFFIN. Did Bill DeMar come in? Do you remember Bill DeMar?

Mrs. RICHEY. Yes; he was there before. Yes; Bill DeMar, but he was there before and after. I mean he was there when this happened. Was Sal there before? Come to think of it—

Mr. GRIFFIN. The short fat man you are talking about?

Mrs. RICHEY. The one with the toupee, the stupid man. He wasn't there before? Oh, I thought he was. He knows about as much as I do.

Mr. GRIFFIN. Anyhow—

Mrs. RICHEY. I don't remember the date though.

Mr. GRIFFIN. Did Wally Weston leave as a result of this argument?

Mrs. RICHEY. I don't know if it was this argument. Maybe it was because he wouldn't let Shari, his wife, come back. She was a dancer there. Shari Angel. I don't know, it seems like that was why they were arguing, because he wouldn't let Shari come back, but I am not even real sure about that, but I remember that was an argument between them.

Mr. GRIFFIN. Did Jack ever express in your presence any opinions about Earl Norman?

Mrs. RICHEY. No. Earl worked there one week, but he never said anything to me about Earl.

Mr. GRIFFIN. Did you ever see anybody at the Carousel Club who in any way resembled Lee Oswald?

Mrs. RICHEY. No.

Mr. GRIFFIN. I haven't got any further questions at this point, so if there is anything that you would like to tell us, is there anything that I haven't covered that you think we should know about?

Mrs. RICHEY. No, you have covered about all of it. I am afraid I haven't been much help because I have tried to put this out of my mind. I want to try to forget it.

Mr. GRIFFIN. I think you have been very helpful to us and I want to thank you for coming all this distance for a short period of time like this. I hope you enjoy your stay in Washington.

Mrs. RICHEY. We are leaving right away. Could you tell me if I will be called again?

Mr. GRIFFIN. No. Yes; I can tell you the answer is that you won't be called. I don't expect that there will be any reason to call you. Excuse me; there is one thing I want to do before we finish here. I have marked Exhibit 1 for identification as previously indicated in the record, and I want to ask you if you have read it over and if you have any other changes to make other than the ones that you mentioned as you read it.

Mrs. RICHEY. Let me read it again. This says here that Janice was just a cocktail waitress, and she was just a waitress. "Several years," I can't remember, I haven't known him that long.

I didn't know him that long at that time. I may have said that then. I won't say that I didn't. And the noon; to me it seems like that it was later and it may have been or it may not have been. I am not really sure about that either. And that is about it.

Mr. GRIFFIN. All right, if that is satisfactory then I would like you to take this pencil and sign it down there by my name.

Mrs. RICHEY. Where is your name?

Mr. GRIFFIN. I haven't put my name on. Just sign it right where I have marked it.

Mrs. RICHEY. These things won't matter then that is in here?

Mr. GRIFFIN. No, we have corrected it in the record and the record will reflect it.

Mrs. RICHEY. Do you want me to sign it Margie?

Mr. GRIFFIN. Any way you ordinarily sign it is all right.

Mrs. RICHEY. Margie.

Mr. RICHEY. How do you go about getting a copy of the record?

Mr. GRIFFIN. We have some provision for giving it to you at whatever expense it is. I don't know what it is, but you are entitled to a copy of it. We will send a copy of this out to you people in Cleveland, probably to the U.S. attorney's office in Cleveland, and ask you to come in and read it.

Mrs. RICHEY. Again?

Mr. GRIFFIN. Read the transcript that we are making here.

Mrs. RICHEY. And then I sign it just like I have signed this?

Mr. GRIFFIN. That is right. If there are any mistakes.

Mrs. RICHEY. It won't be this long so it will be a little bit clear in my mind.

Mr. GRIFFIN. I don't think you will have any trouble but every once in a while there is some mistake that creeps into the record. Not too many. So we would like you to come in and read it over and then sign it and return it to us. Then you can get a copy of that and arrangements can be made to purchase it through us, or the testimony is going to be printed and memorialized and there will be many thousands of copies of this made.

Mrs. RICHEY. This will be?

Mr. GRIFFIN. This will be sent all around the country. All the libraries in the major cities will certainly have them, but if you want a personal copy, why we can have one made up.

Mr. RICHEY. The town I come from the people aren't very broadminded.

Mrs. RICHEY. There is not very many Richeys around.

Mr. GRIFFIN. There will be volumes and volumes of this testimony. I might ask your husband just one question. You are here and you are not under oath and you aren't obliged to answer it, but since you are here I will ask you if there is anything that you would like to contribute as a result of having heard this deposition?

Mr. RICHEY. As you could gather, I knew Jack Ruby myself.

Mr. GRIFFIN. Yes.

Mr. RICHEY. I spoke with him the night before I left for home, which is the night before President Kennedy was killed, and he seemed normal.

Mr. GRIFFIN. Where did you see him?

Mr. RICHEY. At the club. I was sitting there at the club waiting for Margie to finish work. He come up, sat alongside me, asked what I thought of the job. And to me of course in my own opinion he was always off somewhere in his mind. He asked me a question but he didn't listen to my answer. He was thinking of something else completely, which is just talking. This is the impression the man gave me in the first place.

Mr. GRIFFIN. How long were you at the club Thursday night?

Mr. RICHEY. Oh, I worked at a liquor store in Dallas.

Mrs. RICHEY. No.

Mr. RICHEY. I got out of the Army that Thursday and I spent that whole evening—

Mrs. RICHEY. No, Wednesday, the 20th, and you left Thursday morning so you didn't see Jack.

Mr. RICHEY. Wednesday night I spent the night at the club. This is the night that I talked to Jack Ruby. That is right; I am sorry. And the President was shot the following day.

Mr. GRIFFIN. You spent Wednesday night at the club. About how long were you there?

Mr. RICHEY. Most of the whole night.

Mr. GRIFFIN. How long did you talk with Jack on that occasion?

Mr. RICHEY. Oh, just a couple minutes. It wasn't very busy if I can remember, and he come up and sat alongside of me.

Mr. GRIFFIN. Did he mention anything to you about the fact that the President was coming to town?

Mr. RICHEY. No. I was aware myself that the President was coming, but I didn't know he was coming to Dallas because they were expecting him at Fort Hood, Tex. They kind of had a feeling he might stop in. They were getting ready for this big inspection, but I didn't know he was coming to Dallas. This was a surprise to me.

Mr. GRIFFIN. Do you have anything else that you can think of?

Mr. RICHEY. No, I don't think so.

Mr. GRIFFIN. I want to thank you both again, and I hope you have a pleasant trip back.

TESTIMONY OF JAMES THOMAS AYCOX

The testimony of James Thomas Aycox was taken at 10 a.m., on July 24, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Burt W. Griffin, assistant counsel of the President's Commission.

Mr. GRIFFIN. Let me introduce myself. My name is Burt Griffin. I am a member of the general counsel's staff on the President's Commission on the Assassination of President Kennedy.

I want to tell you a little bit about the procedure that we are going to follow here and what we are trying to do, and then I will administer the oath to you.

The Commission, as you may or may not know, was set up pursuant to an Executive order which was issued by President Johnson in November of last year, and also pursuant to a joint resolution of Congress.

Under this joint resolution, the Commission has been given authority to promulgate various rules and regulations. Under those rules and regulations I have been designated to take your testimony here today.

The Commission was directed by President Johnson to inquire into and to evaluate and report back to President Johnson about all the facts relating to the assassination of President Kennedy and the death of Lee Oswald.

In calling you here today, we are particularly interested in finding out what you know about Jack Ruby and, if anything, about the murder of Lee Oswald, and also if you have any information in other areas, we would like to get that, too. Let me ask you a preliminary question.

Mr. AYCOX. Is it all right if I smoke?

Mr. GRIFFIN. Sure.

Did you receive a letter from the Commission?

Mr. AYCOX. Yes. Here is the letter.

Mr. GRIFFIN. When did you receive that?

Mr. AYCOX. Sunday morning. See, I used to live at this address, but I moved to the 2800 block, just a half block, and I still go up there sometimes to get my mail. So the lady accepted it and brought it to my house Sunday morning.

Mr. GRIFFIN. The reason I ask is, you are entitled to receive notice of an appearance 3 days before you actually are supposed to arrive here, but I see that you have had the 3 days' notice; so we are in good shape there.

Before I administer the oath, do you have any questions that you want to ask me about the proceedings that will take place in the next half hour.

Mr. AYCOX. No, not at the present, I don't. I will wait and if there is anything I want to ask, I will stop you and ask you later.

Mr. GRIFFIN. Fine. Feel free to. If you will raise your right hand, I would like to administer the oath.

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. AYCOX. I do.

Mr. GRIFFIN. Will you state for the reporter here your full name.

Mr. AYCOX. James Thomas Aycox.

Mr. GRIFFIN. What is your address?

Mr. AYCOX. 2819 Hibernia.

Mr. GRIFFIN. Do you know Jack Ruby?

Mr. AYCOX. I know him.

Mr. GRIFFIN. How did you first happen to meet Jack Ruby?

Mr. AYCOX. Well, I went out to his club and played. The first night we went out there to play, his sister was running the place.

Mr. GRIFFIN. Is that the Vegas Club?

Mr. AYCOX. Vegas Club, and she had to have an operation the first night I played with another band. We just played one night.

The next night, about a week later, we got a steady job there, and she had to have an operation, and she told us he would be taking over and handling both clubs until she got out of the hospital, and for us to follow his orders, and that is how I met him.

One night he came out before she went to the hospital, and she introduced me to him, and then he came out and emceed the show.

We had a show on Friday and Saturday nights at the Vegas Club and he came out and emceed the show.

Mr. GRIFFIN. What kind of shows did he have at the Vegas Club on Friday and Saturdays?

Mr. AYCOX. Just a rock-and-roll. Different artists come from other clubs, recording artists around town come out and did three or four numbers, tap dance and sing.

Mr. GRIFFIN. Did they have any stripteasers at the Vegas Club?

Mr. AYCOX. No.

Mr. GRIFFIN. How long did you work at the Vegas Club?

Mr. AYCOX. Let me see, it was 2 or 3 weeks before this came up.

Mr. GRIFFIN. Do you remember when you quit working at the Vegas?

Mr. AYCOX. Well, it was in the wintertime. It was kind of cold. I don't recall the date, but I think it was in November, I believe.

Mr. GRIFFIN. Was it before or after President Kennedy was shot?

Mr. AYCOX. It was before.

Mr. GRIFFIN. How long before President Kennedy was shot?

Mr. AYCOX. Well, it was about, maybe 3 or 4 days, or a week, or something like that.

Mr. GRIFFIN. How did you happen to quit?

Mr. AYCOX. Well, things weren't going right out there. I couldn't get along with the band. He had told me to do one thing, and the guy that was playing there before I was, but we were playing mechanical all night. He would never say anything to the artists and tell them we will be here again and what time we would open. Mr. Ruby came out on Sunday and would drill us, and he wouldn't want us to play mechanical all night.

Mr. GRIFFIN. What do you mean by mechanical?

Mr. AYCOX. That is playing and not singing.

Mr. GRIFFIN. He wanted you to put on a little performance?

Mr. AYCOX. That's right, and tell some kind of jokes, plug for the club. So this guy was the pianoplayer with the band before I started, and when the other band left, he stayed and taken over the band.

Mr. GRIFFIN. Did you replace the Joe Johnson band?

Mr. AYCOX. That's right.

Mr. GRIFFIN. What was the name of the band that you were in?

Mr. AYCOX. I don't really know what the name of this band was. I played with Leonard Wood. He was the band leader.

Mr. GRIFFIN. Did you play in the band called the Players?

Mr. AYCOX. That is the name.

Mr. GRIFFIN. Leonard Wood then replaced Joe Johnson?

Mr. AYCOX. But he was working with Joe first. Then after Joe left, he stayed to take over.

Mr. GRIFFIN. Is Leonard the pianoplayer?

Mr. AYCOX. Leonard is the pianoplayer.

Mr. GRIFFIN. What did you play?

Mr. AYCOX. I played drums.

Mr. GRIFFIN. How many other pieces were in the band?

Mr. AYCOX. We had a bass player and a saxophone and guitar. Four other pieces besides the piano. Five all together.

Mr. GRIFFIN. Had any of your four people, not including Leonard Wood, had you four people played together before?

Mr. AYCOX. Not exactly. I played, sat in some jobs, but I never worked steady. Nobody but the guitar player.

Mr. GRIFFIN. Was this a group that Leonard Wood arranged?

Mr. AYCOX. It was a group that he organized.

Mr. GRIFFIN. Did you people belong to a union or have any agent or anything like that?

Mr. AYCOX. Well, I belonged to the union myself, and I guess some of the other fellows belonged to the union, too.

Mr. GRIFFIN. Did you have agents?

Mr. AYCOX. No; not for this particular job. We have agents, but this particular job, I just got it accidentally.

Mr. GRIFFIN. Did Leonard Wood stay on with the band?

Mr. AYCOX. After I left?

Mr. GRIFFIN. Well, was he there all the time you were there?

Mr. AYCOX. He was there all the time; but he started replacing Leonard and got another pianoplayer.

Mr. GRIFFIN. Jack tried to replace Leonard?

Mr. AYCOX. Leonard didn't want to follow out the orders, and he told him, "You either do like I say or you have to leave." So Leonard said he spent his time running around to get the fellows together and picking up people to get there to rehearse, but he still didn't want to do what Ruby said, so Leonard stayed on, and we got to where we couldn't get along, so on a Wednesday night, I believe I told him I decided to quit and go with another band, because I did what Mr. Ruby said, but still I wasn't pleasing Leonard, so I didn't call him or tell him nothing.

I didn't get a chance to see him because every time I called him at the club the line was busy. And this Wednesday night I decided to leave, so they got another drummer.

Mr. GRIFFIN. How long before you left did Jack start to try to replace Leonard Wood?

Mr. AYCOX. He just told me that, once or twice. One night after we finished playing, he would come from the other club over here and see how things were, and then I guess one of the waitresses, she must have told him that he asked me to sing three or four numbers and Leonard didn't want me to sing those numbers. Leonard wanted to be the whole show and he didn't have what it takes to compete with everybody else on the show, so he just got cross, and he was the band leader. I had a chance to take over the band out at the club out there, but he didn't want to follow out the orders, so I decided to leave.

Mr. GRIFFIN. Did Eva Grant work at the club at all during the last week that you were there?

Mr. AYCOX. She hadn't gotten out of the hospital yet, I don't think, because we sent her a card out to the hospital. She hadn't came out of the hospital yet.

Mr. GRIFFIN. Did she work there at all when you were employed there?

Mr. AYCOX. She worked there about a week after I started playing there.

Mr. GRIFFIN. The first week that you were there, she was at the club?

Mr. AYCOX. Yes.

Mr. GRIFFIN. Then the next week, you didn't see her?

Mr. AYCOX. I don't think so.

Mr. GRIFFIN. What kind of clientele did they have at the Vegas Club?

Mr. AYCOX. What kind of what?

Mr. GRIFFIN. Patrons.

Mr. AYCOX. Well, they were pretty nice; you know. They came out some nights. Quite naturally on Friday and Saturday there would be more people than through the week. Some nights through the week we had a pretty nice crowd.

But here is the point. After Joe left, Leonard had been playing with Joe—

Joe had a style of his own, so Leonard wanted to play behind Joe's style. So Mr. Ruby tried to point out to Leonard to pick up a style of his own, because Joe was gone and he got another job, and to try to pick up a style and quit trying to sell Joe, because he would be just helping Joe.

Joe left, and then people come out, and Leonard kept trying to play Joe's pattern, but we didn't have the band, because we didn't know how Joe played and everybody had a different style, and Leonard kept wanting to play behind Joe, because he had been working with Joe.

Mr. GRIFFIN. How did Joe happen to quit?

Mr. AYCOX. I don't know why he quit or nothing like that, but I just heard he was going to quit, and maybe he got a job paying more money.

Mr. GRIFFIN. On how many Sundays during the time you were with Ruby did Mr. Ruby come out to the club and give you instructions?

Mr. AYCOX. I think about 3. I don't think I stayed there over 3 weeks, maybe.

Mr. GRIFFIN. Did he come out every Sunday?

Mr. AYCOX. He come out every Sunday.

Mr. GRIFFIN. When did you rehearse on Sundays?

Mr. AYCOX. Well, suppose to rehearse from about 1 o'clock to 3. Sometimes from 1:30 to 2:30, something like that. Sometimes we rehearsed to 3.

Mr. GRIFFIN. Did he come out and stay the entire time?

Mr. AYCOX. Yes; he came out. Sometimes he might be there a little earlier than the band, or maybe the band might get there a little early, but he would be out there to open up, and then we were rehearsing.

Mr. GRIFFIN. I want to hand you what I have marked for the purpose of identification as James Aycox Depositon, July 24, 1964, Exhibit No. 1. This is a document that consists of two pages, and it purports to be a copy of an interview report prepared by FBI Agent Hughes, who had this interview with you on December 14, 1963. Take your time and read it over. I want to know whether that is an accurate report of what you told him on December 14.

Mr. AYCOX (reading report). This was not the fellow. There was another fellow here that was a member of the band. There were five of us.

Mr. GRIFFIN. Who was the fifth fellow?

Mr. AYCOX. Milton Thomas.

Mr. GRIFFIN. Is that Brother Bear?

Mr. AYCOX. This is right [returning document].

Mr. GRIFFIN. If that is all right, then if you would sign it on the first page where I have marked.

Mr. AYCOX. Right here?

Mr. GRIFFIN. That is all right; yes.

Mr. AYCOX. This is where you want me to sign?

Mr. GRIFFIN. You can sign it near the top where I put the marks on the page.

Mr. AYCOX (signing). Both pages?

Mr. GRIFFIN. Why don't you initial the second page?

Mr. AYCOX. Initial this one?

Mr. GRIFFIN. Yes; just put your initials there.

(Mr. Aycox initials.)

Mr. GRIFFIN. Thank you very much. I appreciate your coming in this morning.

TESTIMONY OF THOMAS STEWART PALMER

The testimony of Thomas Stewart Palmer, was taken at 10:25 a.m., on July 24, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Burt W. Griffin, assistant counsel of the President's Commission.

Mr. GRIFFIN. Let me start by introducing myself again. I am Burt Griffin, and I am a member of the general counsel staff of the President's Commission on the Assassination of President Kennedy.

I want to tell you a little bit about the Commission and what we expect to do here today before I administer the oath and ask you to testify. The Commission was set up pursuant to an Executive order issued by President Johnson on November 29, 1963, and also pursuant to a joint resolution of Congress. Under these two official acts, the Commission has been directed to inquire into, evaluate, and report back to President Johnson on all the facts that relate to the assassination of President Kennedy and the death of Lee Harvey Oswald. We have asked you to come here today, Mr. Palmer, particularly because you have had some past dealings with Jack Ruby, and we are hopeful that you can shed some light on the kind of person that Jack Ruby was.

Now, under the rules and regulations of the Commission, I have been designated to take your deposition here today. Before we ask anybody to be sworn, the rules of the Commission provide that you are entitled to a 3-day written notice of your presence here, and I will ask you first of all if you have received a letter from the Commission 3 days before?

Mr. PALMER. I have.

Mr. GRIFFIN. Do you have any questions about the testimony that is about to be taken?

Mr. PALMER. None.

Mr. GRIFFIN. If you will raise your right hand, I will administer the oath.

Do you solemnly swear that the testimony you are about to give, will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. PALMER. I do.

Mr. GRIFFIN. Would you state for the record your full name?

Mr. PALMER. Thomas Stewart Palmer.

Mr. GRIFFIN. Where do you now live?

Mr. PALMER. 2728 West Davis.

Mr. GRIFFIN. How are you employed?

Mr. PALMER. I am self-employed, an entertainer.

Mr. GRIFFIN. What sort of entertaining do you do?

Mr. PALMER. Magician and comedian.

Mr. GRIFFIN. In the Dallas area?

Mr. PALMER. Primarily.

Mr. GRIFFIN. Are you employed in any particular place?

Mr. PALMER. Not at the present time.

Mr. GRIFFIN. Were you formerly an official of the AGVA?

Mr. PALMER. I was branch manager.

Mr. GRIFFIN. Where was that?

Mr. PALMER. Here in Dallas.

Mr. GRIFFIN. How long were you branch manager for AGVA?

Mr. PALMER. About a year and a half.

Mr. GRIFFIN. When did your employment begin and when did it end?

Mr. PALMER. It ended in February of this year and began—when would it be, a year and a half prior to that?

Mr. GRIFFIN. Sometime in 1963?

Mr. PALMER. Yes.

Mr. GRIFFIN. Now, during the period that you were branch manager of AGVA, did you have occasion to have some dealings with Jack Ruby?

Mr. PALMER. Frequently.

Mr. GRIFFIN. Had you known Ruby before you became branch manager?

Mr. PALMER. Slightly.

Mr. GRIFFIN. How had you happened to know him?

Mr. PALMER. Well, he had employed me as a fill-in entertainer on, I believe, about two occasions. Other than that, I had never met him before.

Mr. GRIFFIN. In what clubs did you work for him?

Mr. PALMER. At the Carousel.

Mr. GRIFFIN. At the time you were working for him, what was your relationship with him as an employee, how did you find him as an employer?

Mr. PALMER. No different than most. Perhaps he felt he was doing a lot for the entertainers, but this is not uncommon. Most entrepreneurs feel they are impresarios or something.

Mr. GRIFFIN. When you became branch manager of AGVA, you had occasion, I take it, to deal with him on a number of times?

Mr. PALMER. Yes, sir.

Mr. GRIFFIN. Can you tell us, try to reconstruct chronologically how your relationship with him as an AGVA representative proceeded.

Mr. PALMER. Well, it was quite amicable in all instances. The single element that certainly perturbed me most, from the standpoint of being a branch manager of AGVA, was that Jack was reluctant and hesitant to meet all of the obligations of a union house as that is, and it was constantly necessary for me to visit him and prod him.

With the advent of the McClellan investigation, AGVA became quite sensitive to certain practices that Jack and other clubs freely subscribed to, and in the latter months of our association, I had been collecting data that indicated Jack was continuing to violate certain rules of AGVA that could have been awkward for him.

Mr. GRIFFIN. What were the rules that you felt he was violating?

Mr. PALMER. Well, AGVA has no jurisdiction over what is called a B-girl or a girl who is primarily in a club to promote consumption of liquor and services. However, they do not want their members, AGVA members to engage in this practice. Jack very frequently made it clear to our members whom he engaged that it was expected of them, and those who were not in great demand found they could stay at his club for a long time if they were to sit down and have a convivial drink with a customer.

Mr. GRIFFIN. How did you go about collecting this information on it?

Mr. PALMER. Jack was impulsive and he would make an instant enemy as quickly as he would win him back as a friend, and it was not difficult to find a girl who had had a slight altercation with him who would sign an affidavit indicating that Jack had demanded that she associate with the customers in the capacity of a B-drinker only.

Mr. GRIFFIN. Does AGVA have such affidavits, or did they have such affidavits?

Mr. PALMER. They do not at the present time. I have.

Mr. GRIFFIN. Do you have those with you?

Mr. PALMER. I don't have them with me. I can get them for you within the hour.

Mr. GRIFFIN. If you would, I would appreciate that very much. Do you remember right now some of the names of the people who swore out affidavits against him?

Mr. PALMER. I collected only three, because that was sufficient proof. However, in conversation with all of them, they indicated that this was the truth, but they were hesitant to put it in writing. Little Lynn, I believe, was one of the girls. I don't know her full name. I would have to look it up in the AGVA files. There was an exotic girl from New Orleans.

Mr. GRIFFIN. Jada?

Mr. PALMER. Jada.

Mr. GRIFFIN. Were there any other rules that Jack was violating?

Mr. PALMER. Not knowingly. He was hesitant in his payment of welfare to AGVA for his personnel. He was not the only one. This is a common short-coming of most club owners.

His affiliation with the Vegas Club, was an affiliation he should not have been affiliated with, since the club was theoretically in his sister's name, and I had been given to believe that his operation here was separate. It could be a point of contention with AGVA.

Mr. GRIFFIN. Why shouldn't he have been associated with the Vegas Club, under your rules?

Mr. PALMER. Well, our rules are that an owner who cannot subscribe but only partially to our union, if his business is all entertainment business, then he must have been either entirely AGVA, or not at all. I am quite sure this was why the Vegas was presented as being in his sister's name.

Mr. GRIFFIN. From your experience with Jack, were you able to form any impression of the extent of employee turnover that he had?

Mr. PALMER. Yes.

Mr. GRIFFIN. How did his turnover compare to that of other employers in the business?

Mr. PALMER. Well, it was great, the rate of turnover, until he would eventually hire an entertainer who was either capable of standing the pace that he set in his club, or until he hired someone who wanted to settle down in Dallas and was willing to work for a little less and perhaps a little more frequently per night.

Another of Jack's possible infringements on AGVA rules and regulations, and it was never clarified in AGVA, was his continuous show policy. This made his finding a new master of ceremonies, whenever it was necessary, virtually impossible, because there are few emcees who can go on and on all evening.

Mr. GRIFFIN. Did AGVA have a policy against continuous shows?

Mr. PALMER. Not at the outset. There was confusion in this respect between the New York office and the west coast office. I remember Mazzie's office and Jackie Bright's office—Bright was ousted and Bobby Faye made several directives that were countermanded by the west coast, and the union became rather decentralized in its authority.

Mr. GRIFFIN. But eventually did somebody who had jurisdiction over Dallas issue a rule of some sort that there should be no continuous shows?

Mr. PALMER. Yes.

Mr. GRIFFIN. Who was that?

Mr. PALMER. I issued it at the direction of Bobby Faye of New York City, who was the executive administrator.

Mr. GRIFFIN. Was that before or after the President was assassinated?

Mr. PALMER. Before.

Mr. GRIFFIN. How long before?

Mr. PALMER. Probably about 6 months before.

Mr. GRIFFIN. What was Jack Ruby's response to that rule?

Mr. PALMER. Jack liked to pretend and let me know he was pretending to comply fully. Agreeably, I should say. His mode of compliance again was only a halfhearted thing, and he did take breaks which then split the show into four shows a night. But I informed him that the breaks weren't adequate; they should be longer.

Mr. GRIFFIN. How long were the breaks?

Mr. PALMER. They were supposed to be 40 minutes. He was taking a 20- to 30-minute break. I had to rely almost entirely on the emcees to clock this, other than sit in the club myself. When I sat in the club myself, they occurred. When I didn't, I knew they weren't occurring, so I had to rely on the emcees. And the emcees relied on Jack Ruby for employment, and often were not too stringent in clocking the breaks. So this, with the affidavits of B-drinking could be considered as creating a little pressure on Jack.

Mr. GRIFFIN. You mentioned before that some of the employees couldn't take the pace that Jack set. What did you have in mind when you referred to pace?

Mr. PALMER. I meant strictly from a legal standpoint. The continuous show policy; the idea of being on the premises at all times; plus Jack's personality was not constantly one way or the other. It was a highly fluctuating thing and often led to misunderstandings.

Many masters of ceremony quit because they felt Jack was directing from the floor, which he has a right to do, but not to the embarrassment of an entertainer.

Mr. GRIFFIN. How would he direct from the floor?

Mr. PALMER. He would indicate on occasion that a dancer midway through her dance should cut it short, or the master of ceremonies should cut a specific routine of his short, often while he was doing the routine.

Mr. GRIFFIN. Were you ever told, or did you ever observe any kind of performances that Jack Ruby didn't approve of?

Mr. PALMER. Yes.

Mr. GRIFFIN. Let's focus strictly on the kind of joke that would be told in the club. Were there any kind of jokes you learned he didn't permit to be told?

Mr. PALMER. He wouldn't permit racial or religious jokes of obvious dirty nature. It was not uncommon for one master of ceremonies to tell several of his routine in colored dialect, Negro dialect, or Jewish dialect, but this was

screened carefully, and he was very careful to see that it was not—it could have been risqué, but not filthy. In other words, he ran a very close check on certain types of profanity. On the other hand, he was very free in permitting a master of ceremonies his choice of material.

Mr. GRIFFIN. How did you happen to learn about this?

Mr. PALMER. Well, now, not myself first hand. It was by Earl Norman who complained to me one day that he had been telling this joke in Jack's establishment for several weeks, and apparently Jack had not heard it, and asked him to delete it from his routine. Of course, this was a blow to Earl in two ways. First of all, being told what material to choose, and secondly, that he hadn't been heard for 2 weeks.

Mr. GRIFFIN. Do you remember what the joke was?

Mr. PALMER. I cannot. I have been trying to think what it was. It was an innocuous thing to me.

Mr. GRIFFIN. Was it a religious joke or a racial joke? Or was it a sexual joke?

Mr. PALMER. I cannot honestly recall. It was an unimportant thing at the time to me. I talked to Jack about his censoring Earl in this particular instance, but as I recall, the joke wasn't mentioned.

Mr. GRIFFIN. Did you ever or did anybody ever tell you prior to the time that President Kennedy was assassinated that Jack didn't permit them to tell jokes about the Kennedy family?

Mr. PALMER. On the contrary, I heard jokes about the Kennedy family and most other political figures in his establishment by Wally Weston. I don't know whether—it was not a large part of his routine, but I believe I did hear him use them.

Mr. GRIFFIN. Did any of his employees ever complain to you about Jack having physically abused them?

Mr. PALMER. Yes.

Mr. GRIFFIN. Which employees, or which employee?

Mr. PALMER. Well, it was not what would constitute a complaint against the employer, so I couldn't follow it up from an AGVA or union standpoint. But I know that he did strike Earl Norman on occasion and call him a drunk and was detrimental to his career by calling other establishments where Earl was employed, and indicating that he was an inebriate.

Mr. GRIFFIN. Did Earl tell you this?

Mr. PALMER. Earl told me this, and our booking agent, Pappy Dolson, indicated that he was having difficulty booking Earl because of things that were being said, and he didn't say that Jack had said them. Later Jack admitted to me that he was the one that had said these things, and he said he was sorry for them. And I believe at later date he did take Earl back to work for him.

Mr. GRIFFIN. Was this instance sometime before the President came to Dallas?

Mr. PALMER. Yes. I think he struck Jada on occasion, or as she put it, "shoved me around."

Several of the other girls had been manhandled by Jack for various reasons. I am not certain what they all are. Jack has a tendency to be frugal to a point of not always being honest on occasion. The girls would draw money in advance, and sometimes his bookkeeping was too much in his favor for a very small amount. On the other hand, he was quick to give them money if they needed it for anything. To buy a radio, he would give them \$40, but come payday, it might be \$42 he thought he gave, and it would take moments of understanding before he coughed up the other \$2.

Mr. GRIFFIN. Do you remember the circumstances under which Jada quit working for Jack?

Mr. PALMER. Partially.

Mr. GRIFFIN. Did she tell you about them, or did Jack?

Mr. PALMER. Yes; as a matter of fact, she filed a complaint with me and he filed a complaint with me. Evidently, I believe the police were called in by an agent to get it straightened out. Jack maintained, after she had been there quite some time, that her act which originally was not suitable for Dallas—however, it did pass the vice squad critic—or claimed that she had reverted back to a New Orleans type of dancing, which included front bumps and a

couple of other things they don't like here—and was more suggestive than it should be.

Jack rushed to the light pillar and turned the lights out on her. This was after he had thought that her contract was going to expire. However, he failed to negotiate renewal of her contract subsequently. I indicated to him her contract would have to run, despite his failure, which I am sure was on purpose, to endorse renewal—would have to run until the completion of the week. He had anticipated getting some new talent in which would double him up on his budget, and he wanted Jada out of there right away. I think this is what prompted his criticism of her dance that evening. I had been in there.

Mr. GRIFFIN. Let me interrupt you. Had he mentioned to you that he wanted to get rid of Jada before he turned the lights out on her?

Mr. PALMER. He came into my office about a day and a half prior to that to ask my thinking on the contract, and the contract that I had on file in the office indicated that he was not obligated to keep her. However, the contract that she had that had been signed on one occasion indicated that it was to continue on past this date. He had not notified my office of the renewal. This was not uncommon in most offices. Renewals are by mutual consent, and very frequently the only signed copy is the entertainer's. Jada knew the rules, and she should have had them signed. She did on one occasion.

However, being the artist's representative primarily, termination had to comply with our AGVA rules which assured her of at least the end of the week, and if she were agreeable, that is fine. If she weren't, she should have held it for another week. So with this in mind, I told this to Jack: "I will see what can be done about getting you off the hook at the end of the week." And he said, "Great". Then I discussed with Jada and she was quite adamant. She was going to complete her engagement. And there was a little hard feeling because she said nobody is going to shove me around. Then later, 2 days later or so, approximately, the incident of the light.

Mr. GRIFFIN. Why did Jack want to replace her with another act?

Mr. PALMER. First of all, her salary was unusual for his establishment. It was much higher than he was accustomed to paying. I was surprised that he kept her as long as he had. With the advent of the affidavit, I realized that her value to him was other than just simply as an entertainer.

Mr. GRIFFIN. Did she file the affidavit against him before he came in and told you he wanted to fire her?

Mr. PALMER. No.

Mr. GRIFFIN. Did Jack come to AGVA with any problems about his competitors?

Mr. PALMER. Frequently.

Mr. GRIFFIN. What kind of complaints did he have about his competitors?

Mr. PALMER. That they were scheming to put him out of business, and that they were practicing unfair tactics both from a civil standpoint as well as union standpoint.

Mr. GRIFFIN. Can you be specific about the scheming that they did, that he complained they did?

Mr. PALMER. Well, he claimed that the amateur night, which Mr. Barney Weinstein originated, I think, many years ago, in Dallas, was taken up by his brother Abe at the Colony, not because Abe needed it, but because it blocked him out of using that same night as an amateur night for his own draw, Jack Ruby's, and this was a consolidated effort between the two brothers to put him out of business, the Carousel. He was constantly critical of their contribution to the AGVA welfare, while he himself was decidedly delinquent.

Mr. GRIFFIN. Did he think they were more delinquent than he was?

Mr. PALMER. No; he just thought they were delinquent, and he was bringing that to my attention while trying to keep his own delinquency out of the topic of conversation. Frequently people he had let go at his club might go to work for Barney. I don't believe Abe would ever use them. I think he did on one or two occasions, but Jack was then always convinced that these people were, to use his terminology, bad-mouthing him or talking unfairly about him behind his back. Actually, his club was rated by AGVA at a lesser rate than

the other two, which permitted him to employ exotics and masters of ceremonies and specialty acts at a lower rate, and I often pointed this out to him. He then complained it should be even lower but it could not possibly be.

Mr. GRIFFIN. Why was he permitted to pay them at a lesser rate?

Mr. PALMER. Clubs are rated deluxe, A, B, C, and D and his was far from being deluxe, which allowed about a \$10 a week less minimum.

Mr. GRIFFIN. Do you remember what his rating was?

Mr. PALMER. I think it was a B house.

Mr. GRIFFIN. The rating is deluxe, and below that is A and B?

Mr. PALMER. Yes. The other two houses, I believe the Theatre Lounge is an A and the Colony Club is a B, but it never, he never practiced minimum rate.

See, we only guaranteed the minimum rate. The artist could negotiate for anything above that.

Mr. GRIFFIN. What factor did you take into account in determining what rate?

Mr. PALMER. These houses had already been rated prior to my coming into office here, and I didn't feel that there was any necessity of reevaluating them.

Mr. GRIFFIN. I didn't mean you in particular, but what are the standards of giving new ratings in AGVA?

Mr. PALMER. There is controversy. I rate them primarily on seating capacity, cover charge, and type of show budget. It has not been delineated clearly in any of the offices.

Mr. GRIFFIN. Did Jack Ruby complain to you about the amateur nights that the Weinsteins were running?

Mr. PALMER. Continuously. He stated that he didn't like to run them himself, but he had to in order to meet the competition. The other two brothers, the same thing.

Mr. GRIFFIN. What did Jack ask you to do?

Mr. PALMER. He was constantly trying to have them disallowed by AGVA. According to the first directive I received in office, they were to be immediately discontinued.

However, I believe it was Abe Weinstein's conversation, either in person or by phone—I have forgotten which—I had both with Irving Mazzie, that they were allowed to continue until clarification of the amateur shows could be had. I was instructed to allow them to continue. It was not indicated that it should be just simply for the Weinsteins, but also for Jack Ruby, and any other club that might be in my territory. I believe there was a club in Oklahoma that was also contemplating it. At that time there became an upset in our executive offices, and it was not clear to the people taking over whether they should adhere to the previous policies.

Mr. GRIFFIN. When did this first order come out that there was to be no amateur nights?

Mr. PALMER. In October, I believe it was, originally.

Mr. GRIFFIN. Of 1963 or 1962?

Mr. PALMER. 1962.

Mr. GRIFFIN. 1962?

Mr. PALMER. I believe that is when I first received the letter indicating it was to all club owners.

Mr. GRIFFIN. Did Jack Ruby discontinue amateur night at any time, to your knowledge?

Mr. PALMER. Yes; prior to my, well, unpleasantness, he began a series of dishes, giving away dishes Thursday and hi-fi's and everything else, and had discontinued his amateur nights, and made quite a thing that he was complying wholeheartedly. But it took him almost 4 or 5 months to get around to complying.

Mr. GRIFFIN. Was he still complying in November of 1963?

Mr. PALMER. Yes; I believe, to the best of my knowledge, he was.

Mr. GRIFFIN. Do you recall in November of 1963 that Jack was attempting to persuade AGVA to terminate the amateur shows at the Weinstein club?

Mr. PALMER. Oh, yes.

Mr. GRIFFIN. Can you tell us about what he did?

Mr. PALMER. He called Irving Mazzie on several occasions, and without my receiving any confirmation either from Irving or from New York as to what these conversations embodied, he instructed me that he was right, Jack Ruby, and I agreed. However, I had a request to have the other clubs shut down because of their noncompliance disregarded by New York. So it became my policy, and probably the reason for my termination with AGVA was that one or the other of the officers either the west coast or the east coast, would have to come in and straighten this out.

Mr. GRIFFIN. You were getting conflicting orders, I take it?

Mr. PALMER. Yes; I was. My New York office and my regional office were giving me conflicting orders.

Mr. GRIFFIN. Irving Mazzie, I remember, was telling you to shut them down; is that right?

Mr. PALMER. He did not at first. The New York office told me to shut them down, and Irving Mazzie said give them time. And there was this banter back and forth on the west coast. They had, I think, the Pink Pussy Cat and the Body Shop, were continuing their amateur nights and Irving said to permit the clubs here to continue until they ceased on the west coast. Eventually they ceased on the west coast, but there was still this complete uncertainty, in my mind, about here, because he continued to permit me to permit them to have their amateur nights.

Mr. GRIFFIN. Did you have any information that the Weinsteins were talking to Mr. Mazzie or Mr. Faye?

Mr. PALMER. Yes.

Mr. GRIFFIN. So that while Jack Ruby was trying to persuade AGVA to shut the Weinsteins down as far as amateur night was concerned, the Weinsteins were talking to other people?

Mr. PALMER. Yes. As a matter of fact, perhaps it is my suggestion in fact, I forwarded a letter from Barney Weinstein to, I believe it was, Bobby Faye at that time. Yes, it was—concerning his part in the establishment of the amateur nights and that it was definitely a necessary thing for him to remain in business.

Mr. GRIFFIN. Do you remember that on or about the 13th of November of 1963 after Ruby had contacted Bobby Faye, you sent out a letter to people in your district advising them that amateur nights were not permitted?

Mr. PALMER. That is correct.

Mr. GRIFFIN. Now, after that letter was sent out, what did the Weinsteins do?

Mr. PALMER. I think Abe Weinstein suspended the thing, the amateur nights for 2 weeks. I am not sure. I know that Jack was subscribing wholeheartedly to the memo. And Barney indicated that he was going to relinquish his affiliation with AGVA.

It became necessary then for me to indicate to our membership that while it was legal for them to accept employment wherever they wished, if it were in violation of our rules as a union, we were obligated to exercise a fine on them. And this, I believe, right up to the minute of the show, Barney indicated an indifference. Then he realized that this would do two things.

First of all, put several of his people he liked out of business, or in jeopardy, let us say, to the amount of \$100, I believe, per person. He decided to withdraw himself that evening and try to negotiate again with New York. And again, there was much confusion.

Mr. GRIFFIN. Did Jack Ruby ever accuse you of showing favoritism?

Mr. PALMER. Frequently. On the other hand, I had to point out to him that I exercised extreme leniency in his welfare, to which he agreed, and was placated with this sort of thing.

Mr. GRIFFIN. To your knowledge, were there other people in the business who were also trying to get these amateur nights stopped?

Mr. PALMER. Yes. In fact, Irving Mazzie on the west coast, I believe, came into civil court with the, I think it was, Body Shop, and received several threats on his life.

The same thing occurred, I believe, in the State of Washington in Seattle. There were three areas that seemed to subscribe more strongly than the others to that.

Mr. GRIFFIN. Was Jack Ruby the only nightclub operator who was trying to get the amateur nights stopped, or were there others?

Mr. PALMER. Those who were not subscribing to it were not the least bit interested, in my area.

On the west coast, yes, there were other nightclub owners who were interested in having it stopped. I think this was essentially the time of the entire movement, but Jack was the only nightclub operator who was virtually trying to stop it.

Abe wanted, in his own words, to cease, but felt from a business standpoint that he had to continue. He said it was a burden. I can see where it would be to your regular show.

The Colony Club was situated so that it did not require this gimmick at any-time really to pep up business.

Mr. GRIFFIN. I want to ask you about some of Ruby's employees in particular. Was Tammi True an AGVA member?

Mr. PALMER. Yes.

Mr. GRIFFIN. Was Kathy Kay?

Mr. PALMER. Yes.

Mr. GRIFFIN. Was Little Lynn?

Mr. PALMER. Not exactly. She had placed a down payment, and I don't believe she ever finished payment.

However, AGVA permits, as long as you are making a conscientious effort to pay your initiation dues, a 60-day period. During that 60 days, they can work on a temporary card type basis.

Mr. GRIFFIN. Do you know why Kathy Kay did not return to work for Jack Ruby's club after Jack was arrested?

Mr. PALMER. No. I know only that she said she was afraid to and wanted to get out of town. I understood that she was leaving town.

Mr. GRIFFIN. What was she afraid about?

Mr. PALMER. I don't know. She was terribly upset, of course, about the assassination, as everyone was, and she did not confide in me as to the reason for this.

Mr. GRIFFIN. But she did talk to you about it?

Mr. PALMER. Yes.

Mr. GRIFFIN. When did she first come in and talk to you about it?

Mr. PALMER. It was a Tuesday after the murder.

Mr. GRIFFIN. Did she come to your office?

Mr. PALMER. I think she called. I remember seeing her in person but I can't recall whether it was in the office or in the coffee shop downstairs. No, it was in the office, because she had been into the office of Pappy Dolson's booking agent on the same floor with AGVA in the Interurban Building, and I believe, again I am not sure, I know it was in the Interurban Building or the immediate surroundings and she was inquiring as to her pay status because of this.

And of course, this being a new thing, I wanted to check it out. Mr. Paul, I was not aware, would take over the club at that time. So only after talking to him did I discover that yes, her contract would continue to be valid and there would be a club operating, and I advised her of this.

She said, "I don't care, I just want to get out of town. I don't like it."

This particular club clientele may not have been as selective as some of the other clubs in town, and there could have been many reasons. I know from her own verbal statements, that she had been requested to be convivial, which is above and beyond the requirements of an entertainer. However, she would not sign an affidavit to that effect, and frequently associations were continued independent of the club that would make her continuing there awkward to her.

Mr. GRIFFIN. Do you know whether at that time she had a relationship of some sort with a Dallas police officer?

Mr. PALMER. Yes.

Mr. GRIFFIN. Did she mention that as any reason for not wanting to continue to work?

Mr. PALMER. No.

Mr. GRIFFIN. Do you have any information that that was the reason?

Mr. PALMER. I don't know. No, I haven't. I gave it no importance. I assigned no importance to it at all at that time.

Mr. GRIFFIN. Can you give us any suggestions as to what might have motivated her to leave so abruptly? Has anything come to your attention that might suggest consideration?

Mr. PALMER. She had frequently wanted to leave prior to that—she stated this to me—and she couldn't. As a matter of fact, at one time she had discontinued exotic dancing entirely for a period of a month or so, and evidently came back to work at Jack Ruby's.

Mr. GRIFFIN. Why had she wanted to leave?

Mr. PALMER. She said she had a child and she wanted to get into some other business at that time. This was quite sometime prior to that.

Mr. GRIFFIN. As long as 6 months or a year before?

Mr. PALMER. Six months at least. She had indicated that out of respect for her association with a member of the Dallas police force, that she would probably cease dancing, or that she wanted to.

Mr. GRIFFIN. In other words, when she talked with you—I want to see if I understand this correctly—when she talked with you 6 months or more before Oswald was shot, she indicated that because at that time she had a relationship with this Dallas police officer, she thought it would be best that she get out of the business?

Mr. PALMER. Yes.

Mr. GRIFFIN. You smile. Why do you smile and say yes? Is there anything more?

Mr. PALMER. No more than I gained the impression that this was not a business that she felt would be compatible with his position, and for no reason other than that.

Mr. GRIFFIN. Was it known to members of the police department that she was dating this fellow, living with this fellow even before the President was shot?

Mr. PALMER. It was of such common knowledge to all entertainers, and his presence in the club with her and after in places where entertainers usually went at 1 or 2 o'clock to have breakfast, that I doubt that their association could have escaped the attention of some of the other members of the force.

Mr. GRIFFIN. Do you have any information about how friendly Jack Ruby was with the police officer that she was dating?

Mr. PALMER. Quite friendly.

Mr. GRIFFIN. Can you tell us how you know that?

Mr. PALMER. Well, I saw no outward signs of any friendship other than that of an acquaintance between the two, but he did introduce me to him, and on occasion, the three of us were at a table briefly when I would drop in late just prior to closing time.

His presence was honored, as mine was, without cover charge. And frequently Jack would buy us a beer or coke or whatever we were having.

But I didn't feel that there was any animosity. Or let me say, I was not aware that there was or had been or possibly would be any animosity. Knowing Jack, I feel that he was perhaps nurturing this acquaintanceship to strengthen any position that a person in his business might sooner or later need.

Mr. GRIFFIN. Do you have any information that this police officer might have helped Jack Ruby get into the basement of the police department on Sunday?

Mr. PALMER. No. As a matter of fact, this is the first time that I have even thought of that. I would not know. I could give you no idea at all on that.

Mr. GRIFFIN. Did Little Lynn have any occasion to talk to you about her relationship with Jack Ruby after Oswald was shot?

Mr. PALMER. No. As a matter of fact, I didn't see Little Lynn after that. Actually, I knew she was employed sporadically there because of what I assume was slightly neurotic reasons. I didn't see her for a period of maybe a week before that happened in the club.

Mr. GRIFFIN. Do you have some reason to think that she was a mentally disturbed person?

Mr. PALMER. I was certain of that.

Mr. GRIFFIN. Can you tell us why it is you feel that way, and what do you think her problem was?

I don't want you to be a psychiatrist, but in lay terms, what was the difficulty?

Mr. PALMER. Well, she was associated with a young gentleman more nearly her age who was eager to have her accumulate wealth. What he did to achieve this, I don't know. I can only assume.

I believe she thought herself pregnant, or was. I had no proof whether she was or not. I did see her have convulsions and spasms that I had seen before and realized that this was more a nervous condition that often precedes pregnancy, but this seemed to be to me, again, as I say, a little more of an emotional thing rather than a physiological thing.

Mr. GRIFFIN. You didn't have any indication that she was taking narcotics?

Mr. PALMER. I had none. I have none at the present time. By narcotics, I don't know what you mean.

Some of the entertainers, the girls have weight problems and often they are on a, I don't know what the pill is, it is a black thing that doctors prescribe. I have seen several eating them, that I know of them.

Mr. GRIFFIN. They are habit forming?

Mr. PALMER. I don't know. I believe they are. I don't know what they are. A friend of mine in a different business is the one that described them to me.

Mr. GRIFFIN. What was Little Lynn's boyfriend or husband or whatever he is attempting to do for her?

Mr. PALMER. I had that feeling. I had no proof of that.

Mr. GRIFFIN. Anything else that you think he was attempting to do?

Mr. PALMER. Not that I am aware of, no. I thought that was what it was, plus having her in a club where he could call as her manager and probably circulate and pander for her.

Mr. GRIFFIN. Do you happen to know why Tammi True quit working for Jack Ruby shortly before the President was assassinated?

Mr. PALMER. She quit several times before. Again, Tammi was quite critical of Jack's bookkeeping and frequently overstepped her boundaries as an employee because of her association with Mr. Paul, I believe, at that time. She was living with him off and on.

Mr. GRIFFIN. Did you have occasion to visit any of the night clubs on November 22 or November 23?

Mr. PALMER. Could you give me the days of the week?

Mr. GRIFFIN. Well, this would be the Friday night after the President was assassinated, and the Saturday night.

Mr. PALMER. I would have to look at the records at AGVA. I believe I did.

Mr. GRIFFIN. Do you recall whether you were in Abe's Colony Club or the Theatre Lounge on one of those nights?

Mr. PALMER. I probably was. I usually made those clubs as I came downtown. I don't recall specifically though.

Mr. GRIFFIN. Specifically, do you have any specific recollection as to whether those clubs were open on any one of those nights?

Mr. PALMER. Let's see, President was assassinated on what?

Mr. GRIFFIN. Friday.

Mr. PALMER. Friday. All the clubs were closed on Friday night.

Mr. GRIFFIN. How about Saturday?

Mr. PALMER. There was some—actually, the two clubs, Colony Club and the Theatre Lounge closed, and I think there was some doubt as to whether Ruby's would close, and I had to determine that. I believe Ruby was closed until the following Monday. I am not certain.

Mr. GRIFFIN. Do you have any recollection of being in the Colony Club or Theatre Lounge on Saturday night?

Mr. PALMER. No, I don't; I am sorry.

Mr. GRIFFIN. I don't believe I have any more questions. Is there anything that you can think of that the Commission ought to know either about Ruby or about the murder of Oswald, or about the assassination of the President, that you might want to offer independently of any questions that I have asked you?

Mr. PALMER. I suppose my other statements are available to you?

Mr. GRIFFIN. Yes. It is customary that we give you these to look at to sign, but I am afraid that it didn't get included in the group of things that I brought with me from Washington, so I don't have them to hand to you. I have one short

statement that you made on November 26, but it has simply to do with Buddy King.

Mr. PALMER. Yes.

Mr. GRIFFIN. I would like to have you look at it, but I don't think it is germane to what we have talked about today.

Mr. PALMER. I was thinking about my perhaps excitement over the phone call from Chicago.

Mr. GRIFFIN. Do you want to tell us about that?

Mr. PALMER. Well, if it is not redundant or repetitious.

Mr. GRIFFIN. Now this is the call that Wilma Hughes received?

Mr. PALMER. Yes.

Mr. GRIFFIN. Would you tell us about that?

Mr. PALMER. Well, I recognized immediately on television, Jack. Prior to that, well Wilma called me stating that she had talked to Conrad Brown who she called Jack, who also is known professionally as Alton Sharp.

Mr. GRIFFIN. When did Wilma call you?

Mr. PALMER. Early Sunday morning. And she said will you be seeing Jack today. The reason I assumed at the time she asked me was that she did not herself frequent the clubs as a representative. I said, "It is doubtful."

She said "Jackie (meaning Alton Sharp) said to tell Jack Ruby not to send a letter, it would do no good now." And I said, "That is cryptic, what does it mean?"

And she said, "I don't know, but be sure and tell Jack today." With no particular emphasis on the word today.

I said, "I hadn't planned on seeing Jack Ruby, but if I do, I would relay the message." And then later the murder, and I could not quite correlate any reason why Chicago was indicating to people in my office, in my jurisdiction, anything that would pertain to AGVA, so I simply relayed this, and perhaps became over-concerned with it.

Mr. GRIFFIN. Have you since learned of anything which would indicate what that telephone call was?

Mr. PALMER. The reason was given to me, but I don't accept it, actually. The story was that the pressure he was putting on Jack to have him conform more closely to AGVA and rules and regulations that prompted him to talk to Alton Sharp in Chicago about writing a letter to New York concerning me. Jack had.

Mr. GRIFFIN. Concerning you? Meaning Tom Palmer?

Mr. PALMER. Right. Jack Ruby had also asked me if he could. I said yes. But I couldn't understand his sending any pertinent data to Chicago, which was not a regional office and had no jurisdiction over this area.

Mr. GRIFFIN. What sort of friendship did Jack have with Conrad Brown or Alton Sharp?

Mr. PALMER. Alton was at one time branch manager here just preceding me.

Mr. GRIFFIN. Was Jack particularly friendly with this man?

Mr. PALMER. Alton Sharp indicated to me that he would bear watching and require much work to keep him current. And other than that I felt that Alton Sharp's friendship was no more than it is with any other nightclub operator.

Mr. GRIFFIN. Well, you say that you felt that the explanation that was given to you wasn't satisfactory. I take it you must have something in mind as to what really was taking place.

Mr. PALMER. I didn't know what importance this phone call was at that time, and of course, now, with time having dulled the image of it somewhat, I still cannot understand what was of importance, of such importance that would require a weekend transaction of AGVA business, which is not common on Sunday. However, we are on duty as representatives every day of the week, but this request not to send a letter seemed urgent for some reason when Wilma told me that Alton had relayed this to her in his conversation to her that morning.

Mr. GRIFFIN. Do you know if Alton Sharp was discharged from his job about that same time?

Mr. PALMER. Shortly thereafter, I believe. I am not sure chronologically.

Mr. GRIFFIN. Could it have been before?

Mr. PALMER. I couldn't say. I would have to check with some information that I have.

Mr. GRIFFIN. Do you have any information that Jack Ruby may have been attempting to help Alton Sharp in Sharp's relationship with AGVA?

Mr. PALMER. I would assume; yes. He did try to do that. His feeling was that if he helped anyone, and as a matter of fact, he helped me, or he thought he had, on several occasions, in any relationship with AGVA, I am sure he felt that this was beneficial to his own dealings with AGVA. And when I say he helped me, he spoke laudatory of me in the presence of officials from New York. Anyway, that was it.

Mr. GRIFFIN. I don't believe I have any other questions then.

Mr. PALMER. Fine.

Mr. GRIFFIN. I want to thank you very much for taking your time to come here today. You have been very helpful to us today.

Mr. PALMER. Bye.

TESTIMONY OF JOSEPH WELDON JOHNSON, JR.

The testimony of Joseph Weldon Johnson, Jr. was taken at 5 p.m., on July 24, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Burt W. Griffin, assistant counsel of the President's Commission.

Mr. GRIFFIN. Let me introduce myself again. I am Burt Griffin, and I am a member of the general counsel's staff of the President's Commission on the Assassination of President Kennedy.

Before we ask anybody to testify, we give you a preliminary spiel on what this hearing is all about.

I will start out by telling you that the Commission was set up pursuant to an Executive order of President Johnson and the joint resolution of Congress, and we have been directed to investigate into and evaluate and report back to President Johnson on all the facts that we can find that bear upon the assassination of President Kennedy and the death of Lee Harvey Oswald.

We have asked you to come here today particularly because of your past employment with Jack Ruby's sister, Eva Grant.

Now I have been directed under the rules and regulations that have been promulgated by the Commission, to take your testimony, and under these rules and regulations, you are entitled to receive a 3-day written notice to come here to testify.

The first thing I will ask you is when did you receive a letter from us, if you did?

Mr. JOHNSON. When did I receive the letter?

Mr. GRIFFIN. Yes.

Mr. JOHNSON. Let's see. This date here, it is July 19.

Mr. GRIFFIN. So you received it in plenty of time, and we can go ahead and take your testimony. Do you have any questions that you want to ask me about this before we start?

Mr. JOHNSON. Well, not especially, because I talked with the FBI several times before, and I told them everything I knew.

Mr. GRIFFIN. That is good. We want to now get it in the testimony formally. Let me ask you to raise your right hand and I will administer the oath to you.

Do you solemnly swear that the testimony you are about to give here will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. JOHNSON. I do.

Mr. GRIFFIN. Would you give the reporter your full name, please?

Mr. JOHNSON. My name is Joseph Weldon Johnson, Jr.

Mr. GRIFFIN. How do you spell the middle name?

Mr. JOHNSON. W-e-l-d-o-n.

Mr. GRIFFIN. Where do you live now?

Mr. JOHNSON. 12130 Willowdell Drive, Dallas.

Mr. GRIFFIN. When were you born?

Mr. JOHNSON. July 16, 1926.

Mr. GRIFFIN. What is your regular occupation?

Mr. JOHNSON. I am a musician ; bandleader.

Mr. GRIFFIN. How long have you been a bandleader?

Mr. JOHNSON. Since, well, I have been a professional bandleader since 1950.

Mr. GRIFFIN. Did you have occasion to work for Jack Ruby?

Mr. JOHNSON. Yes.

Mr. GRIFFIN. Where did you work for him?

Mr. JOHNSON. Vegas Club.

Mr. GRIFFIN. When did you start working for him?

Mr. JOHNSON. I don't remember the exact month. I believe it was March 1956—1957, that is when it was.

Mr. GRIFFIN. Did you work continuously for him from that time on?

Mr. JOHNSON. Yes.

Mr. GRIFFIN. How many people were in your band?

Mr. JOHNSON. Five, including myself.

Mr. GRIFFIN. What kind of music did you provide?

Mr. JOHNSON. Variety of music. We have a very—well, I would say we played progressive jazz, rock and roll, and ballads.

Mr. GRIFFIN. Now you eventually left Ruby's employment, didn't you?

Mr. JOHNSON. Yes.

Mr. GRIFFIN. When was that?

Mr. JOHNSON. Second of November of last year.

Mr. GRIFFIN. You say that date with a great deal of conviction. Is that a date you are sure of?

Mr. JOHNSON. Yes.

Mr. GRIFFIN. How did you happen to leave Ruby?

Mr. JOHNSON. Well, I just wanted to change, just wanted to change places. I had been there so long, and a fellow came and talked to me about playing in another club, and I just decided I felt the change would be good for my group and myself.

Mr. GRIFFIN. Did you take your whole group with you?

Mr. JOHNSON. Yes.

Mr. GRIFFIN. Were there any of the members of the band who stayed on with Ruby?

Mr. JOHNSON. Well, the piano player, Leonard Wood, stayed.

Mr. GRIFFIN. How did that happen?

Mr. JOHNSON. Well, he felt that he could continue to stay there and keep the place going. I had a pretty good following there—but I understand it didn't work out too well.

Mr. GRIFFIN. What was Jack's reaction to your leaving the Vegas Club?

Mr. JOHNSON. Well, actually, Jack hadn't been at the Vegas Club. He was downtown here, you know, and, well, he was kind of hurt. He didn't like it too well, but I had no contract at the club.

Mr. GRIFFIN. Did he feel that your band had been stolen from him?

Mr. JOHNSON. Well, I don't think so, because this was my decision.

Mr. GRIFFIN. Did he ever talk to you about his attitude toward your leaving?

Mr. JOHNSON. Yes.

Mr. GRIFFIN. What did he say to you that you recall?

Mr. JOHNSON. Well, he wanted to know if I was leaving him for good, and if there would be a possibility, if anything else would come up in the future, would I be interested in coming back with him.

Mr. GRIFFIN. What did you tell him?

Mr. JOHNSON. I told him if it would be to the benefit of my group, I would be glad to, but I had a family to support and further, I have to look out for things.

Mr. GRIFFIN. Were you able to get more money at this new club?

Mr. JOHNSON. Yes; more consideration also.

Mr. GRIFFIN. What was the name of the club?

Mr. JOHNSON. Castaway Club.

Mr. GRIFFIN. Are you playing there now?

Mr. JOHNSON. I am at Louann's now.

Mr. GRIFFIN. You said more consideration.

Mr. JOHNSON. I had a chance to use some of my ideas. They more or less had things fixed where I couldn't use my imagination, how I wanted to sell and so forth publicitywise, and I got better publicity and so forth.

Mr. GRIFFIN. How was it that you were restricted at the Vegas Club?

Mr. JOHNSON. Well, more or less they won't do anything to make the club look decent, where I would invite people out that I felt were special guests, and I just felt like this other club was better equipped, but I wouldn't mind inviting anyone out there. And I had been at the Vegas Club, and he continued to say, "We are going to do this," and they never would get around to it.

Mr. GRIFFIN. What sort of things?

Mr. JOHNSON. I mean like fixing up the club and making it look decent. In fact, it looked the same way it did when I first moved there.

Mr. GRIFFIN. How much of your dealings were with Jack Ruby, and how much of them were with his sister, Eva Grant?

Mr. JOHNSON. Let's see; I believe since 1959, all of my dealings were with his sister and not with him. Before then, it was all with him, because she wasn't in town. She came in from, I don't know, California, I believe.

Mr. GRIFFIN. Now, do you know that his sister was operated on in November?

Mr. JOHNSON. Yes.

Mr. GRIFFIN. Did that operation take place while you were still working for her?

Mr. JOHNSON. No.

Mr. GRIFFIN. Did you see Jack Ruby get in any fights while you worked for him?

Mr. JOHNSON. Yes.

Mr. GRIFFIN. Can you tell us about some of those?

Mr. JOHNSON. Well, it was just about some of the people that would come to the club that would get in trouble, and he just, you know, wouldn't hardly stand for that in his club.

Mr. GRIFFIN. Did you know George Senator?

Mr. JOHNSON. No.

Mr. GRIFFIN. Did you know Ralph Paul?

Mr. JOHNSON. Yes.

Mr. GRIFFIN. Did you know Tammi True?

Mr. JOHNSON. Not personally, but I mean I had worked on shows with them. They used to have shows at the Vegas Club, and she had worked some of the shows over there.

Mr. GRIFFIN. Jack put on a striptease show at the Vegas Club?

Mr. JOHNSON. Yes.

Mr. GRIFFIN. How often would he have those shows?

Mr. JOHNSON. They used to have them every Friday night, but some time last year, maybe around August or something like that, something happened that they discontinued them.

Mr. GRIFFIN. When did he start having the striptease shows?

Mr. JOHNSON. I don't remember, but several years ago.

Mr. GRIFFIN. Did he have striptease shows at the Vegas Club before he opened the Carousel Club?

Mr. JOHNSON. I don't think so. I don't remember for sure.

Mr. GRIFFIN. Did you know another of his striptease dancers, Kathy Kay?

Mr. JOHNSON. Yes; I have heard the name. It is familiar; yes.

Mr. GRIFFIN. Did you know a policeman named Harry Olsen?

Mr. JOHNSON. Not by name. I don't remember that name.

Mr. GRIFFIN. Do you know Ruby's dancer, Little Lynn?

Mr. JOHNSON. No; that name doesn't register.

Mr. GRIFFIN. Did you see Jack Ruby at all on November 22 or 23, the Friday that the President was shot, and the Saturday afterward?

Mr. JOHNSON. No.

Mr. GRIFFIN. Did you see any of his friends or employees over that weekend?

Mr. JOHNSON. Not that I recall; nobody that would be close to him, I would say. Maybe some of his friends, but offhand, I don't remember.

Mr. GRIFFIN. But not Ralph Paul or George Senator or Tammi True?

Mr. JOHNSON. No; I don't remember seeing any of those.

Mr. GRIFFIN. Did Jack Ruby attempt to promote any records for you?

Mr. JOHNSON. He had talked about it. He never did promote any records for me. He talked about it, what he could do, but he never did.

Mr. GRIFFIN. Why did it never get beyond the talking stage?

Mr. JOHNSON. Well, because he never did do anything about it. He just talked about it, and he said that was from some friends he knew over the country that he felt would do a favor for him.

Mr. GRIFFIN. Did Jack have a master of ceremonies at the Vegas Club?

Mr. JOHNSON. You mean when we had shows, or nightly?

Mr. GRIFFIN. Nightly.

Mr. JOHNSON. No.

Mr. GRIFFIN. When he had shows?

Mr. JOHNSON. Yes.

Mr. GRIFFIN. Did he have shows every Saturday night?

Mr. JOHNSON. No; the shows were Friday night.

Mr. GRIFFIN. Did he have them every Friday night?

Mr. JOHNSON. For a while; yes.

Mr. GRIFFIN. Did he have a professional master of ceremonies, or did he do his own master of ceremonies?

Mr. JOHNSON. Occasionally he would, and sometimes he would have others.

Mr. GRIFFIN. Were you ever aware of any restrictions that Jack put on as to the kind of jokes that the master of ceremonies could tell?

Mr. JOHNSON. You mean did he limit them?

Mr. GRIFFIN. Yes; that you know of?

Mr. JOHNSON. I am sure—well, they never got, you know, where the average person wouldn't accept them, but sometimes they got a little rough, because they were all adults and I guess they felt they could go OK.

Mr. GRIFFIN. Did you find Jack Ruby an easy man or difficult man to work for?

Mr. JOHNSON. Well, for the average person, I don't guess too many people could have worked for him, but I knew personally that Jack liked me and his sister liked me. But we would get into arguments, but it wouldn't last long, and they were very good to me, as far as that is concerned.

Mr. GRIFFIN. Did Jack show you kindnesses?

Mr. JOHNSON. Yes; he showed everyone kindness. As far as I am concerned, he was a very fine friend. He was a hot-tempered fellow.

Mr. GRIFFIN. What sort of kindnesses?

Mr. JOHNSON. Oh, if I ever needed any good word or something or someone he knew, he would never mind, he liked me, I know, personally. He liked me, but he was just, I say, high-tempered person. And you might run into him one time and he might be one way, and the next time he might be upset, but he would never leave until he would shake your hand if you had had an argument with him.

Mr. GRIFFIN. You mean on a nightly basis if you had had an argument that night, you would still walk out having shaken hands on that? Is that what you mean?

Mr. JOHNSON. Yes.

Mr. GRIFFIN. Or did you mean that if you had an argument that resulted in termination of employment you would still shake hands with him and go away?

Mr. JOHNSON. Yes.

Mr. GRIFFIN. That also?

Mr. JOHNSON. Yes.

Mr. GRIFFIN. But he was the kind of fellow who quickly made up after he had an argument with you?

Mr. JOHNSON. Yes.

Mr. GRIFFIN. How did he make up? Did he apologize for his own conduct?

Mr. JOHNSON. Yes; he would.

Mr. GRIFFIN. Can you think of any specific episode that you had with him?

Mr. JOHNSON. I had so many, I don't remember. For instance, maybe sometimes his sister would get angry with me, and it might be a night that I should be paid and she wouldn't pay me. Well, he wouldn't take sides with her. He would get the money from somewhere and pay me, even if he had to bring it

to my house, and he would apologize for her. Or even if anything should occur with him, he would apologize.

Mr. GRIFFIN. Is there anything else that you can think of that you would want to tell us that might shed some light on Jack Ruby on why he committed the crime that he committed.

Mr. JOHNSON. I haven't the slightest idea, because the only time that I have known Jack—I have known him to shoot in the club when there was some trouble—shoot at the ceiling. We would have heated arguments, but never at any time where he put a pistol on me. I wasn't afraid to argue with him, because I didn't think he was that kind of a person.

Mr. GRIFFIN. The time that he shot the pistol off in the club, what was he doing it for?

Mr. JOHNSON. They maybe were having a fight in the club, and to scare them he would shoot at the ceiling. I can't think of anything other than what I have told you. Other than, as far as I am concerned, he was all right.

After leaving, he wasn't angry with me, and he didn't appear to be angry with me. We had a heart-to-heart talk, and I just explained to him I thought it would be better for me. I was getting in a rut at the club, and I just wanted to change. We had no angry words or anything.

Mr. GRIFFIN. Thank you very much for coming here and waiting as you had to a bit longer than we expected.

Mr. JOHNSON. Like I say, even if it meant to give up a job, I wanted to do whatever I could.

Mr. GRIFFIN. This has been helpful to us because we are trying to get an insight from the experiences other people had with him, and you have helped us today to fill in some gaps that we didn't have, and I appreciate that very much.

Mr. JOHNSON. I certainly hope I have been some help. Thank you very much.

Mr. GRIFFIN. Bye, bye.

TESTIMONY OF EDWARD J. PULLMAN

The testimony of Edward J. Pullman was taken at 7:05 p.m., on July 24, 1964; in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Burt W. Griffin, assistant counsel of the President's Commission.

Mr. GRIFFIN. I am Burt Griffin, and a member of the general counsel's staff of the President's Commission on the Assassination of President Kennedy. We have a few preliminaries that we always go through to acquaint you with what we are trying to do here. I might state to you at the outset that the President's Commission was established pursuant to an Executive order by President Johnson and a joint resolution of Congress and under that set of official acts the Commission has been directed to investigate into and evaluate and report back to President Johnson all the facts relating to the assassination of President Kennedy and Lee Harvey Oswald. We have asked you to come here today in particular because you have been friendly over the years with Jack Ruby and we are hopeful that you can perhaps provide us with some information and insight into Jack Ruby that we wouldn't have had otherwise. Under the rules promulgated by the Commission, I have been directed specifically to take your deposition. I might tell you that the rules of the Commission provide that you are entitled to receive 3 days' written notice before being obliged to testify, and I now ask you at the outset if you received a letter from the Commission and when it was that you did receive it?

Mr. PULLMAN. I received the letter last Sunday.

Mr. GRIFFIN. Then, the 3 days' provision is complied with. There is another formal question that I will simply ask you and that is if you have any questions about the nature of what will take place in the next half hour or so?

Mr. PULLMAN. Well, I just wanted to get a little idea of what type of information you are looking for—just what you are concerned with?

Mr. GRIFFIN. In calling you, we are particularly interested in any information that you might have about the activities of Jack Ruby on November 22, 1963, and November 23 and 24, including various other people that we know who were in contact with him and also some background information of Jack Ruby in terms of the various enterprises of his in at least one or two of which I understand you were associated in with him.

Mr. PULLMAN. Yes; that's right.

Mr. GRIFFIN. And also, perhaps, some general insights to the kind of person Mr. Ruby was.

Mr. PULLMAN. How did you happen to get my name—I know I spoke to the FBI at the time.

Mr. GRIFFIN. Yes; you were interviewed by the FBI, and other people that we have talked to have indicated that you, perhaps more so than any others, knew Jack pretty well?

Mr. PULLMAN. Well, I knew him pretty well; he used to be at my house occasionally and I had an insight to his personal character.

Mr. GRIFFIN. Then, let me ask you at this point if you will raise your right hand and be sworn. Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth and nothing but the truth, so help you God?

Mr. PULLMAN. I do.

Mr. GRIFFIN. Would you state your full name for the record, please?

Mr. PULLMAN. Edward J. Pullman.

Mr. GRIFFIN. Where do you live, Mr. Pullman?

Mr. PULLMAN. 5454 Anita.

Mr. GRIFFIN. Is that in Dallas?

Mr. PULLMAN. Yes.

Mr. GRIFFIN. When were you born?

Mr. PULLMAN. July 12, 1928—no; that's July 28, 1912.

Mr. GRIFFIN. What is your occupation?

Mr. PULLMAN. I am a furniture designer and consultant—games, ideas, promotions—anything for the public; creative ideas for games and so forth.

Mr. GRIFFIN. How long have you been in that business?

Mr. PULLMAN. Oh, about 30 years.

Mr. GRIFFIN. Did you have any formal training in that?

Mr. PULLMAN. No; I just learned it all.

Mr. GRIFFIN. Are you self-employed?

Mr. PULLMAN. I am working for a company right now.

Mr. GRIFFIN. And whom do you work for?

Mr. PULLMAN. I'm working for Freed Furniture Co.

Mr. GRIFFIN. And were you working for them at the time I have mentioned?

Mr. PULLMAN. No; I just started with them. I was just working for myself—I have just started with them.

Mr. GRIFFIN. Do you have a family?

Mr. PULLMAN. My wife and daughter and children.

Mr. GRIFFIN. When, approximately, did you first meet Jack Ruby?

Mr. PULLMAN. Well, I met Jack—oh, I'd say several years ago, but I never had any real contact with him, but I had heard a lot about Jack, but I never had any contact with him until 1963, and that was in the summer.

Mr. GRIFFIN. How did Jack happen to make contact with you at that time?

Mr. PULLMAN. Well, my wife was the one that I got in contact with him on, because she went to help in the night club. She used to be the manager of the Theatre Lounge.

Mr. GRIFFIN. Your wife was the manager of the Theatre Lounge?

Mr. PULLMAN. Yes.

Mr. GRIFFIN. Did she meet Jack as a result of that?

Mr. PULLMAN. Well, no; she had left the Theatre Lounge and she wanted to get something to do and she was told that Jack was looking for someone to help him and she was up there and he got her started working. She actually wasn't working in a true sense of the word because he was never sure of what he wanted. What she could do for him—he couldn't put anything right

down on the line and say, "Yes; I want you to do this or that." He was very erratic. Every night he ran the place on a different basis.

Mr. GRIFFIN. When did she start to work for him?

Mr. PULLMAN. I think it was—I'm not sure, but I believe it was in July.

Mr. GRIFFIN. In 1953?

Mr. PULLMAN. 1963.

Mr. GRIFFIN. And how long did she continue to work for him?

Mr. PULLMAN. I think—about 6 or 8 weeks.

Mr. GRIFFIN. And how did she happen to leave?

Mr. PULLMAN. She didn't happen to leave—it was just too confusing—the confusion was constant and she couldn't do things the way they should be run because she had a pretty good idea of how to run a club and she would try to help him and it seemed like he didn't want to accept any help as far as his operations were concerned and he wanted to do it all himself.

Mr. GRIFFIN. So, what actually, did she wind up doing for him?

Mr. PULLMAN. Just being a general hostess and seating people and trying to be of service to whoever came in—that was all; and I used to come up there evenings and spend a couple of hours and we got real close—real friendly. And I watched the way he operated and I knew his personality very quickly—he was very hot tempered and I was there one night when he personally threw someone out because he had said something derogatory about Kennedy.

Mr. GRIFFIN. When was that?

Mr. PULLMAN. It was during the time my wife worked there and I also found in talking to him that he couldn't take anybody who was going to talk against Kennedy or the administration or the Government. Later I learned from other people that he felt the same way about Roosevelt.

Mr. GRIFFIN. On this one instance, what specifically was said on the occasion when he threw somebody out?

Mr. PULLMAN. It was about—the MC was making some remark about Barry Goldwater and some other things like that, and someone made some derogatory remarks about Kennedy—I don't remember the exact words—and he didn't like what he said about Kennedy.

Mr. GRIFFIN. Did the person use profanity?

Mr. PULLMAN. No profanity—just the fact that he didn't have respect—he didn't respect the President. That was one of the incidents. Then, there was an incident pretty close to the time—it was in November and we had a Texas Product Show and, of course, I hadn't seen him in some time up until that particular time and he called me—he had come up with this twistboard and I was showing a bunch of inventions that I had at this Texas Product Show that I had on display there.

Mr. GRIFFIN. Where was the Texas Product Show set up?

Mr. PULLMAN. At the Exhibit Hall out on Stemmons Expressway.

Mr. GRIFFIN. Is that out at the Trade Mart?

Mr. PULLMAN. No; but it's pretty close—about a block up from the Trade Mart.

Mr. GRIFFIN. What month was this?

Mr. PULLMAN. That was in November—the early part of November—I think it was the first week in November, and that's when he contacted me. It seemed very coincidental—I hadn't heard from him in months and he called me and he told me he had this twistboard and he needed some idea as to how to merchandise it or what to do with it, and he was always running into various things. He had this English razor blade that he was even trying to sell some of them in his club.

Mr. GRIFFIN. Wilkenson blades?

Mr. PULLMAN. Wilkenson blades; and when he called me about the twistboard, I had just been ready to go in to show him all my new ideas—products—at the show, and he thought it might be a good idea to tie the two together and that's how I got closely associated with him for a week.

Mr. GRIFFIN. What did he do with his twistboard at the Texas Product Show?

Mr. PULLMAN. I showed it in my space and he would even come down and demonstrate it himself and sell it. I asked him to send some of the girls down and demonstrate it—this twistboard that he had there—exotic dancers down

there and he did bring some of them down. As a matter of fact, you will find photographic records of it from the Dallas Times Herald—they took a picture, and he may be in some of those pictures with one of the girls on the twistboard, and I also mentioned the fact that pictures were taken by the Dallas Times Herald newspaper, I believe, and they were actually publicity shots that were taken. Now, he used to come in with this friend, George Senator.

Mr. GRIFFIN. How long did the show run?

Mr. PULLMAN. It ran for a week.

Mr. GRIFFIN. And what week did it run?

Mr. PULLMAN. I believe it was from November 1st through the 7th.

Mr. GRIFFIN. And how often did Jack come?

Mr. PULLMAN. Oh, he tried to get down there almost every night if he could, but he did come down one night; he made a tour of the place and he ran across the H. L. Hunt display, and during that time they were giving out a shopping bag with food and a lot of this Lifeline literature that they inserted into the bags and I heard somebody calling my name—I was away up towards the middle of the display and I heard somebody call my name and it was Jack way down below calling me and he was walking at a very fast clip and he had a bunch of papers in his hand and he comes up to me breathless with Senator trailing behind him and showing me all this Lifeline material, and I couldn't stop to read it because there were people all around the place, and he said, "I'm going to send this stuff to Kennedy—I want to send this stuff to Kennedy." He said, "Nobody has any right to talk like this about our Government."

Mr. GRIFFIN. Senator was present at the time?

Mr. PULLMAN. Yes; George Senator was there. He got real excited and I said, "Well, you just know about it now, but Lifeline has been out for some time," and that's what he does and that's how he gets his material around. He said, "I'm going to do something about this, I'm going to see that this is taken up in Washington," and that was the incident that I recall. I think I even mentioned that to the FBI.

Mr. GRIFFIN. Do you recall what this literature was; do you recall any of the specific pieces of literature?

Mr. PULLMAN. Well, I know it was anti-administration, anti-Government type of literature that he has always been giving out. I don't know if you have ever listened to his Lifeline program on the radio or not.

Mr. GRIFFIN. What sort of literature was this—was there a radio script or pamphlets?

Mr. PULLMAN. Pamphlets—just pamphlets and sheets talking about the Government. I didn't stop to read them, but I know about them.

Mr. GRIFFIN. Did you actually look at these sheets?

Mr. PULLMAN. Yes; I looked at the sheets.

Mr. GRIFFIN. Was there any advertising on it?

Mr. PULLMAN. No; you see, actually, I don't know whether this ought to be in the record—that was one of the reasons, I understand, that he wasn't allowed to have his display at the New York Fair because he gives out this type of literature, and they broke his lease on that basis.

Mr. GRIFFIN. Do you remember the names of any of the pamphlets that were put out?

Mr. PULLMAN. No.

Mr. GRIFFIN. Would you recall them if some were suggested to you?

Mr. PULLMAN. No; I couldn't say.

Mr. GRIFFIN. How long did Jack talk about this literature?

Mr. PULLMAN. Oh, it was just a few minutes and then took off. He was all excited and red faced, livid, and that's the way he got—hot and cold like that and I have seen that so many times.

Mr. GRIFFIN. Did he complain to anybody at the H. L. Hunt booth?

Mr. PULLMAN. No, there was no one there—there was nobody there at the time.

Mr. GRIFFIN. Who else was present besides you and George Senator?

Mr. PULLMAN. That's all.

Mr. GRIFFIN. Did you ever sell any twistboards for Jack?

Mr. PULLMAN. I sold some, I'm sure, and he sold most of them. Any time he came down there, he sold some.

Mr. GRIFFIN. How many did you sell?

Mr. PULLMAN. Oh, I sold about a dozen—as a matter of fact, he didn't know how to go about handling the thing.

Mr. GRIFFIN. In what way?

Mr. PULLMAN. I suggested to him to try to set up a mail order program on them, and that's where he got that box number.

Mr. GRIFFIN. That's where he got what?

Mr. PULLMAN. That's where he got that box number that they are all talking about.

Mr. GRIFFIN. You suggested it?

Mr. PULLMAN. That he try to sell them mail order, you see, and he asked me about using the name of Earl, Earl Products before we went into the show, because I wanted to have some sort of sign at the display by who was showing the twistboards, so we discussed that at first and he said, "Earl Products," and he didn't have an address except his home address and I suggested he should use his name and then get a box number and do a mail order business that way and get started.

Mr. GRIFFIN. Was your promotion at the Texas Product Show a mail-order type of promotion?

Mr. PULLMAN. No, no; just an exhibit. It was just an exhibit.

Mr. GRIFFIN. But, in there in that exhibit was there a reference to mail orders?

Mr. PULLMAN. No, it was just an exhibit of ideas—an exhibit of all new kinds of new inventions, and this was a new idea that come up.

Mr. GRIFFIN. In the advertising you did for it at the Texas Product Show, was there a reference made to a post office box number?

Mr. PULLMAN. No.

Mr. GRIFFIN. And, the post office box did not come up until after the Texas Product Show was over?

Mr. PULLMAN. Well, it was—I don't recall whether it was after or before. He was trying to figure out how to handle the sale of them—whether he would go direct to the stores and sell them because some of the stores already had some similar ones, and that's why, I believe, he decided to go on a mail order.

Mr. GRIFFIN. How was he going to promote it through the mail—through somebody's catalog or through direct mail solicitation?

Mr. PULLMAN. Through direct; yes.

Mr. GRIFFIN. Do you know if he made any efforts to do it?

Mr. PULLMAN. I don't know. I didn't know anything about that afterward. You see, I hadn't seen him. After the show closed he came in and picked up his things and that was the last time I actually saw him.

Mr. GRIFFIN. Did Jack ever tell you about plans for manufacturing the twist-board himself?

Mr. PULLMAN. Yes.

Mr. GRIFFIN. Tell us about that.

Mr. PULLMAN. Well, it was just when he was trying to get some idea from me since I was a furniture man, or was, because the twistboard has some kind of a swivel device in there that we use in swivel chairs, and he wanted to get some ideas about it, whether it would be better off for him to manufacture them or let someone else make them and contract them, but he never went any further than that with me. He wanted my ideas about actually making it, fabricating the whole thing, and buying and getting the parts and assembling it.

Mr. GRIFFIN. What did you suggest to him?

Mr. PULLMAN. I just would let them stay where they are—with the people that were making them, really running them, and see how they go over first, and then eventually go on his own.

Mr. GRIFFIN. Did you make that suggestion before the Texas Products Show, during, or after?

Mr. PULLMAN. It was during the show. You see, I didn't know about this—I hadn't seen him up until the Texas Product Show.

Mr. GRIFFIN. Then, this would have been about late October that you first learned about it, or were you actually set up at the show?

Mr. PULLMAN. No, at the show—this all happened within the week of the show.

Mr. GRIFFIN. So, the first day that you opened out there at the Texas Product Show, you didn't have the twistboards?

Mr. PULLMAN. Yes; he already had them.

Mr. GRIFFIN. But you didn't have them out there?

Mr. PULLMAN. Yes.

Mr. GRIFFIN. Oh, you had them for the first full day?

Mr. PULLMAN. Yes, he called me just before the show opened, about a day before the show opened, and that following night he brought them over. As a matter of fact, we tried to get them there at the time because they were going to have a big to-do with the opening—the publicity and all—for the exhibits, which come about anyway, but that was one of the things I recall. I know it was on the same day—he came across with them on the same day—he brought over about three dozen, and that's all he had, and we sold about a dozen and I paid him whatever I got for them.

Mr. GRIFFIN. What was he charging for each one?

Mr. PULLMAN. \$2.95.

Mr. GRIFFIN. What sort of commission did he plan to provide for the distributor?

Mr. PULLMAN. Well, he didn't know for sure what he was going to pay—he had no idea—40 percent off or 50 percent off or, if he didn't have a distributor, he was going to be the distributor. He would have hired salesmen.

Mr. GRIFFIN. Do you know if he made any efforts to inquire into producing the thing himself?

Mr. PULLMAN. No, but as far as that, that's about all I know that was closest to the time of the actual happening. Prior to that I knew him just while my wife had worked there those few weeks and I realized that he was a very erratic person and not a very easy person to talk to, to know, also the fact that he became upset very easily and cooled off just as quickly, but I have seen him just haul off and lambast or hit someone without thinking twice, because—his club was run very well—considering.

I mean, he tried to keep it clean. He didn't try to let any rowdiness come into it like some of the other places of that type, so that he was kind of proud of that.

Mr. GRIFFIN. Did you know any of his employees?

Mr. PULLMAN. Just as manager—Andrew.

Mr. GRIFFIN. Andrew Armstrong?

Mr. PULLMAN. Yes.

Mr. GRIFFIN. Did you know Tammi True?

Mr. PULLMAN. I knew of the girls.

Mr. GRIFFIN. Did you know Kathy Kay?

Mr. PULLMAN. Wait just a minute; was Tammi True the one he brought—the name rings a bell—I think he brought her out to the product show to demonstrate—she demonstrated the board. They got her picture.

Mr. GRIFFIN. Did you know Kathy Kay?

Mr. PULLMAN. Yes; I knew most of the girls that were there. We knew—what's her name—that New Orleans girl?

Mr. GRIFFIN. Jada?

Mr. PULLMAN. Jada or something like that.

Mr. GRIFFIN. Were you at the night club?

Mr. PULLMAN. I was there at the time when she was brought in.

Mr. GRIFFIN. Were you there when Jack turned out the lights on her?

Mr. PULLMAN. He never turned the lights out on her.

Mr. GRIFFIN. At least not in your presence?

Mr. PULLMAN. No; he wouldn't never do that. He would give her an awful lot of hell, he would almost hit her—I'll tell you that, but he wouldn't turn the lights out.

Are you talking about on stage?

Mr. GRIFFIN. Yes.

Mr. PULLMAN. Yes; if she got a little bit too risqué, he would turn the lights out on her. He was very much concerned about the law.

Mr. GRIFFIN. Did he argue with her about it?

Mr. PULLMAN. Well, she was just getting too raw—that was most of the argument, and as a matter of fact, he called the vice squad the first night she was there and he wanted them to see what she was doing—he wanted to know he was not doing wrong.

Mr. GRIFFIN. Were you present there then?

Mr. PULLMAN. I was present that night and I stood right with the head man on the vice squad and watched the show, because Jack kind of leaned on me because I acted as more of a host for him at the door, and I knew I saw all of these cops in there most of the time and they were all very nice—they were all served coffee—they were very nice.

Mr. GRIFFIN. Did you know Harry Olsen, Officer Olsen?

Mr. PULLMAN. I didn't know too many of them by name, but I knew they were law men.

Mr. GRIFFIN. Did you know the fellow that Kathy Kay was dating, the officer she was dating?

Mr. PULLMAN. Was that Kathy Kay or Kathy King?

Mr. GRIFFIN. Kathy Kay.

Mr. PULLMAN. A blonde?

Mr. GRIFFIN. I don't really know.

Mr. PULLMAN. An English girl?

Mr. GRIFFIN. Yes, she's English.

Mr. PULLMAN. And she was going with an officer?

Mr. GRIFFIN. Did you know him?

Mr. PULLMAN. She was engaged to him; yes, I had seen him up there. He used to come up there every night to take her home.

Mr. GRIFFIN. What sort of relationship did Jack have with this officer?

Mr. PULLMAN. Very nice—very well—he never had any trouble with him. He got along very well then with the officers. They would come up there and he had coffee. He was proud of the fact that he was able to have them in there.

Mr. GRIFFIN. Do you recall where you were when you learned that President Kennedy had been shot?

Mr. PULLMAN. Where I was?

Mr. GRIFFIN. Yes.

Mr. PULLMAN. I was in bed. I had just gotten up and turned the TV on and I saw Jack shooting Oswald as the picture came on, that's all I saw.

Mr. GRIFFIN. No; I asked you—when President Kennedy was shot, where were you?

Mr. PULLMAN. Well, we were watching at home—my wife and myself.

Mr. GRIFFIN. Did you have occasion to go out of your house at that time at all?

Mr. PULLMAN. I didn't go out for 3 days—I didn't budge out of the house for 3 days. I was very much shook up over it.

Mr. GRIFFIN. When was the last time you saw Jack Ruby before the President was shot?

Mr. PULLMAN. That was at the Texas Product Show, was the last time I saw him, the first week in November.

Mr. GRIFFIN. You say he had been over to your house?

Mr. PULLMAN. He was over a few times—it was on the twistboard that he came over the first—well, that was just the last—when I saw him, but he would come over just to talk to my wife and get some ideas and what to do about the club, but he would never do it, no matter what you told him. He wouldn't do anything, but he was looking for friends—he was looking for friends. He would come in on a Sunday with sweetrolls and spend an hour or two, with his dogs, and I never saw anybody so crazy about animals. I mean, his own dogs, but as a whole, I think that my own honest opinion of the man—the man has been insane. He was psycho. I'm not talking about at the time—I'm talking before—I mean, he was not right, because when you talked to him, you think he is listening and you would look up and he would say, "I wasn't listening, what were you saying?" He was off somewhere—he would hear what he wanted to hear, unless you asked him a question to get a direct answer.

Mr. GRIFFIN. Now, let's go back to the H. L. Hunt literature—was H. L. Hunt distributing food as well as literature?

Mr. PULLMAN. They were giving away samples and they gave away shopping bags and this stuff was already stuffed into the bags.

Mr. GRIFFIN. So, when you would pick up the literature——

Mr. PULLMAN. It was in there already. That's what Jack told me when he come by, he said, "Look what I found in this bag." He was looking to see what was in there, and I immediately recognized that Life Line material.

Mr. GRIFFIN. How did you happen to be familiar with Life Line?

Mr. PULLMAN. Just by accidentally listening on the radio at home. They had it on the radio around 6 or 7 o'clock on Saturday and we were listening to—— what is the name of that program—you don't know that local radio program that's on every Saturday night?

Mr. GRIFFIN. Is it on the same station that Life Line is on?

Mr. PULLMAN. Yes.

Mr. GRIFFIN. Is it a music program?

Mr. PULLMAN. No, it's sort of a comment thing.

The REPORTER. Is it "comment"?

Mr. PULLMAN. Yes, comment, I believe that is the name of it. It is an interview program that comes on right in there somewhere and it's news and goes on all the time, but this comes in there somewhere, and I never want to hear it, but when you do hear it, you sort of get interested in listening to find out what they are saying.

Mr. GRIFFIN. Did you get the impression that Jack had read this literature?

Mr. PULLMAN. Oh, he must have read some of it to get so excited. He must have, and I said, "I'm sure that Kennedy knows all about this, and Washington knows all about this."

He said, "Maybe they don't." He said, "I'm going to send it in." And I said, "Well, you do what you want." And that's the last I heard about it.

Mr. GRIFFIN. Did you think that it was unusual for Jack to be sensitive to that wording?

Mr. PULLMAN. Well, I was a little bit surprised that he would take the initiative that he did, never thinking that he thought like that. I didn't think he had that much intellect.

Mr. GRIFFIN. Did Jack ever campaign for anybody, has he ever been interested in any sort of politics?

Mr. PULLMAN. No.

Mr. GRIFFIN. Do you know anything about any literature that was found in his possession endorsing the conservative Democratic slate; did he ever tell you he was campaigning for anybody?

Mr. PULLMAN. No, he never discussed politics. The only thing he talked with me about was when he was working for the union back in Chicago days and how he lost his finger in a fight.

Mr. GRIFFIN. How did he tell you he lost his finger?

Mr. PULLMAN. That it was shot off.

Mr. GRIFFIN. Did you ever hear it was bitten off?

Mr. PULLMAN. Yes, I did hear about that too.

Mr. GRIFFIN. What did Jack tell you—that it was shot off?

Mr. PULLMAN. Shot off.

Mr. GRIFFIN. What did you hear about it being bitten off?

Mr. PULLMAN. Then I heard later——later on somebody made the remark that it was actually bitten off in a fight and then I didn't know what to believe, and knowing the type and coming from the East, I am originally from New York and I have known lots of fellows like that——there are a lot of people who were involved with unions and who were always in that element.

Mr. GRIFFIN. Were there any other things that Jack ever mentioned to you that he was sensitive about?

Mr. PULLMAN. Yes, he didn't like any vulgarity in his place. That was another surprise to me. Of course, he always bragged that he was a very rough fellow when he had the Silver Spur place on Ervay, I believe it was.

Mr. GRIFFIN. Did you know him then?

Mr. PULLMAN. No, but he would brag about the fact that he was so rough people would walk on the other side of the street because they were so afraid of him at the time.

Mr. GRIFFIN. Now, from the time your wife started to work for him until you last saw him at the Texas Product Show, about how much time would you say you spent with him?

Mr. PULLMAN. Oh, practically almost every evening around the club.

Mr. GRIFFIN. For what period of time?

Mr. PULLMAN. I think it was about 2 months—I just can't remember exactly—how long it was.

Mr. GRIFFIN. How long would that be each evening, would you be there the entire evening?

Mr. PULLMAN. Yes, I would spend the whole evening down there and he trusted everyone. I tried to show him a lot of mistakes that were going on there but he didn't care. He just didn't care. Everyone had their finger in his till. Everybody went to the cash register, which was a very unusual thing, knowing what was going on in the other clubs—everything was accounted for every night.

Mr. GRIFFIN. By that, do you mean people were taking out money for their own use or something that they used it for down there, or did anybody and everybody have access to the cash register?

Mr. PULLMAN. They all had access, and he was always short every night—he was short, and that was another reason why my wife didn't want to stay, and I didn't think she should stay, because of all that going on.

Mr. GRIFFIN. Did he have his waitresses on a salary?

Mr. PULLMAN. No.

Mr. GRIFFIN. How did he pay them?

Mr. PULLMAN. They worked on tips—they worked on tips—that's how it was.

Mr. GRIFFIN. How much money could those girls make in a night?

Mr. PULLMAN. I don't know—that varied—I never could tell what that was—that varied.

Mr. GRIFFIN. Did Jack ever tell you about his plans to open a new nightclub.

Mr. PULLMAN. Yes, he has had plans for other places—sure.

Mr. GRIFFIN. What specifically did he tell you about that?

Mr. PULLMAN. Well, he had one particular location that he kept talking about, and he wanted to open a real high class place and as a matter of fact he offered me the proposition to take it over, manage it and host it, and my wife didn't want any part of it, knowing the type of person he was, and I didn't want to be involved with anything like that.

Mr. GRIFFIN. Were you ever engaged in any other business with him besides the twistboard?

Mr. PULLMAN. That was the only thing—that's all.

Mr. GRIFFIN. You were never involved in the sale of any vitamin pills or any other products with him?

Mr. PULLMAN. No; the only reason I thought that the twistboard had merit was because it was a new idea and it fitted in with the new products show, and I discussed it with the promoters of the show before I even took it in and they thought it wouldn't hurt to put it in there at all.

Mr. GRIFFIN. Did you encourage Jack in the idea that that might be a profitable venture?

Mr. PULLMAN. Yes; I did, because I thought possibilities, but he had to know how to go about doing it. He had no market set up for it, but I felt we may find out what appeal it really had, and which would be the best way to sell it.

Mr. GRIFFIN. What was his response to the appeal that was demonstrated at the Texas Products Show?

Mr. PULLMAN. Well, he learned one thing—that you have to demonstrate it to sell it. If it was just lying on a counter, you couldn't sell them. You could probably sell it mail order, where they don't see it—you just describe it like any other mail-order product, but to really sell it, you have to see it. Every time it was demonstrated, it was sold, and when he would come down, he put on a real pitch with it too and he could sell it. I didn't bother selling them—I was just showing them.

Mr. GRIFFIN. Did Jack get on it and demonstrate it himself?

Mr. PULLMAN. Yes; he got on it and demonstrated it. Took his jacket off

and would stand there and he would be having a ball and eventually he would sell two or three of them to the crowd standing around seeing him standing on the board there, you know.

Mr. GRIFFIN. Would he have any music or anything to twist with?

Mr. PULLMAN. No; he would just talk and twist and show it.

Mr. GRIFFIN. It was sort of like a sideshow barker?

Mr. PULLMAN. That's right—well, he didn't bark—he just explained what was happening—all the muscles were working and how it tightened up their stomach muscles. I came out with one formal effort. I got one at home and I gave it away—a couple of friends wanted one and the grandkids got them. So, that one thing, I believe I can honestly say that down deep he was good natured—a good-natured guy, but he was always just trying to prove something; I don't know what, but he was trying to prove something all the time—that he belonged.

This is another thing I recall—he would tell the MC what jokes to tell, what stories he should work on, and he would promote them, because he ran the lights and all from the board and prompted them in their stories. He would naturally talk loud enough so everybody would turn around and see who was talking, you see, to get the attention to himself.

Mr. GRIFFIN. How did the MC react?

Mr. PULLMAN. Oh, he was fine—this was Wally Weston—he didn't mind. Have you ever talked to Wally?

Mr. GRIFFIN. No; I haven't.

Mr. PULLMAN. He could give you an awful lot of testimony on Jack's background. He was with Jack for over 2 years and he helped make that club. Wally Weston was formerly with Abe Weinstein's Colony Club.

Mr. GRIFFIN. I hand you what I have marked for the purposes of identification as Edward J. Pullman's deposition, July 24, 1964, Exhibit No. 1. This document consists of two pages that are numbered at the bottom, consecutively numbers 208 and 209, and it purports to be a copy of an interview report that FBI Agent Jack K. Peden prepared after talking with you on December 13, 1963. I would like you to read it over and tell us if the report that you have there accurately reflects what you said to him on December 13.

Mr. PULLMAN. It's practically as near as possible the same thing I said.

Mr. GRIFFIN. You don't have any corrections to make in that, do you?

Mr. PULLMAN. No.

Mr. GRIFFIN. All right, if that is satisfactory, let me ask you to sign your name to it on the first page and then initial the second page up near the top.

Mr. PULLMAN. You mean right around here?

Mr. GRIFFIN. Yes.

Mr. PULLMAN (signed and initialed instrument referred to). That's where you wanted my initials?

Mr. GRIFFIN. Yes; that's all right. Thank you very much for coming up. I have no more questions.

Mr. PULLMAN. I just hope that I was of some help to you anyway.

Mr. GRIFFIN. I think you have been, and we appreciate it very much, you taking out this time to come up.

Mr. PULLMAN. I didn't mind doing that. My grandkids will have a nice letter there. That's something they will have—a memento from getting a letter from Washington.

Mr. GRIFFIN. All right, thank you very much.

Mr. PULLMAN. All right.

TESTIMONY OF HERBERT B. KRAVITZ

The testimony of Herbert B. Kravitz was taken at 7:45 p.m., on July 24th, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Burt W. Griffin, assistant counsel of the President's Commission.

Mr. GRIFFIN. Mr. Kravitz, my name is Burt Griffin. I am a member of the general counsel's staff of the President's Commission on the Assassination of President Kennedy. We have a few preliminary matters that we always go through with the witnesses to explain to them a little bit about the Commission and what we are doing. The Commission was set up pursuant to an Executive order of President Johnson and a joint resolution of Congress. Under that Executive order and the joint resolution, the Commission has been directed to investigate into and evaluate and report back to President Johnson upon all the facts that relate to the assassination of President Kennedy and the death of Lee Harvey Oswald. We have asked you to come here tonight in particular because you have been acquainted with Jack Ruby, and particularly because you saw him shortly before President Kennedy was assassinated.

Now, the Commission has a set of rules and regulations which are promulgated and under those rules and regulations I have been specifically designated to take your testimony. There is a provision in the rules that a witness is entitled to have 3 days' written notice before he appears before the Commission and I will ask you at this point if you have received a letter from us and when you received it?

Mr. KRAVITZ. Yes; I did.

Mr. GRIFFIN. Was it 3 days ago or more?

Mr. KRAVITZ. I'll tell you in this case that I have just moved recently, and the letter was lost in the mail and I just got the letter yesterday, but I was notified by telephone, which I think was more than 3 days ago.

Mr. GRIFFIN. And you have no objection to going forward at this point?

Mr. KRAVITZ. No.

Mr. GRIFFIN. Do you have any particular questions you want to ask before I start to question you?

Mr. KRAVITZ. No; none whatsoever.

Mr. GRIFFIN. All right. If you would raise your right hand and be sworn. Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. KRAVITZ. I do.

Mr. GRIFFIN. Will you state your name for the record?

Mr. KRAVITZ. Herbert B. Kravitz.

Mr. GRIFFIN. How do you spell your last name?

Mr. KRAVITZ. K-r-a-v-i-t-z [spelling].

Mr. GRIFFIN. Where do you live now?

Mr. KRAVITZ. In Dallas.

Mr. GRIFFIN. Whereabouts in Dallas?

Mr. KRAVITZ. Bachman Boulevard; 2631.

Mr. GRIFFIN. When were you born?

Mr. KRAVITZ. On March 12, 1938.

Mr. GRIFFIN. And are you employed?

Mr. KRAVITZ. Self-employed.

Mr. GRIFFIN. What do you do?

Mr. KRAVITZ. Publishing business; I am with 20th Century Publishers, Inc.

Mr. GRIFFIN. What sort of publication do you have?

Mr. KRAVITZ. Well, our first book will be out the end of August. It's a fairly new enterprise—it's approximately 4 months old.

Mr. GRIFFIN. What did you do before that?

Mr. KRAVITZ. I was on the road with a clothing outfit and traveled part of the country. That's how I first got to Dallas.

Mr. GRIFFIN. You know Jack Ruby, don't you?

Mr. KRAVITZ. Yes.

Mr. GRIFFIN. When did you first happen to meet him?

Mr. KRAVITZ. I was with an entertainer friend of mine—I really can't give you specific dates, but the entertainer was a comedian, Fred Barber, [spelling] B-a-r-b-e-r.

Mr. GRIFFIN. That's Barber?

Mr. KRAVITZ. Yes; and Fred and I were in a Chinese restaurant—Yee's—and Jack Ruby, I presume, saw Fred's act and came over to the table and introduced

himself to Fred and myself. I did not know him prior to that and asked Fred and myself to come to his club, which we did the next evening.

Mr. GRIFFIN. How long was that before the President was assassinated?

Mr. KRAVITZ. Oh, that was quite some time.

Mr. GRIFFIN. Several months?

Mr. KRAVITZ. Oh, I really can't say—it was just 4 or 5 or 6 months, I suppose, and then I saw Mr. Ruby. After that I went to his club a few times. I saw Mr. Ruby approximately a week before the assassination.

Mr. GRIFFIN. Now, when you talked with two FBI agents, Joseph Peggs and Alvin Zimmerman, you indicated that the last time you saw Ruby at the Carousel Club was on November 20; that would be 2 days before the assassination?

Mr. KRAVITZ. It's very possible.

Mr. GRIFFIN. Would your memory have been more accurate at that time than it is now?

Mr. KRAVITZ. I said a week—it could have been 2 or 3 days. It was very near to the assassination of the President.

Mr. GRIFFIN. What time did you arrive at the club that night?

Mr. KRAVITZ. I had a date, so I would say it was in the evening, I'm not sure, but about 9 o'clock or after.

Mr. GRIFFIN. And how much time did you spend with Ruby that night?

Mr. KRAVITZ. Well, he came over to the table and talked with my date and myself—I didn't spend a lot of time with him, really. I didn't spend a lot of time with him—Jack knew me and we were acquaintances. We weren't what you would call close friends.

Mr. GRIFFIN. Did he mention anything at that time about President Kennedy?

Mr. KRAVITZ. No; nothing at all. I never discussed politics, I never got into anything with Mr. Ruby about politics, and probably I said something about the time of day and how are you and so forth and so on.

Mr. GRIFFIN. What did you discuss with him, though, aside from the time of day—what seemed to be Ruby's particular interest?

Mr. KRAVITZ. Well, I never discussed much with Mr. Ruby. At one time—when all this happened, it was in the Jewish holidays, and one incident I had with Mr. Ruby, he called me up once and wanted me to go with him to the synagogue, but I didn't know Mr. Ruby well and I didn't really want to go to the synagogue with Mr. Ruby—he is a character and so on and so forth, and I think he got a little aggravated with me, and I didn't see him after that until the night which you are talking about.

Mr. GRIFFIN. How long was this telephone request before you saw him?

Mr. KRAVITZ. Oh, God, I would say months—I didn't go back to that place until this young lady I was out with that night wanted to go there, and I said to her, "Well, I really don't want to go there," and said that I had had words with Jack Ruby, and I don't know how she interpreted that, but anyway, I did go back and I shook hands with him that night.

Mr. GRIFFIN. Did he call you in connection with any high holiday?

Mr. KRAVITZ. Yes; there was one of the high holidays—it was either, if you are familiar with them, it was either Rosh Hashanah, or Yom Kippur—it was one of those; but I can't be sure which.

Mr. GRIFFIN. How did he happen to call you?

Mr. KRAVITZ. That's a good question; I don't know. The night that we were out with Freddie Barber, we talked until 3, 4, or 5 o'clock in the morning—Freddie Barber and myself—we went out after, for breakfast, and I think he might have been impressed with me: I don't know.

Mr. GRIFFIN. Did he know what business you were in at that time?

Mr. KRAVITZ. No.

Mr. GRIFFIN. Were you in the clothing business at that time?

Mr. KRAVITZ. Yes.

Mr. GRIFFIN. Did he have any reason to think that you might have had a connection with Barber that he wanted to use?

Mr. KRAVITZ. There is a possibility, I don't know, he might have thought that I was Freddie's agent, or something, but I don't think that came up.

Mr. GRIFFIN. Had he talked to you about his religious beliefs?

Mr. KRAVITZ. No.

Mr. GRIFFIN. Or his synagogue attendance before that?

Mr. KRAVITZ. No; not really. I knew he was Jewish. He mentioned to me going to the rabbi, not the synagogue, but at other times, that he went to the rabbi for counsel or something like that, but we never got into any discussions on religion.

Mr. GRIFFIN. Was Barber Jewish?

Mr. KRAVITZ. Yes.

Mr. GRIFFIN. Would Jack have realized that?

Mr. KRAVITZ. I think so; but our religion per se.

Mr. GRIFFIN. Had he ever suggested to you that he would like you to work for him or anything like that?

Mr. KRAVITZ. No; that evening, he suggested the possibility of our rooming together. This is the first time we met and I just, you know, laughed; I didn't say anything. I had no intention of ever rooming with Mr. Ruby.

Mr. GRIFFIN. How did he happen to mention that?

Mr. KRAVITZ. I really don't know; that's the first time I was with him—this was the evening that Freddie and I were together with him and the first time I ever met the man and I guess that he was interested in moving into an apartment. In fact, he was interested in moving into this Spa, this new building over here, and was looking for a roommate.

Mr. GRIFFIN. Is that the one on Turtle Creek?

Mr. KRAVITZ. Yes.

Mr. GRIFFIN. Did he indicate to you that he had made any application to move in there?

Mr. KRAVITZ. The building wasn't completed; I think he possibly had checked into it, but I really don't know about filling out an application for it.

Mr. GRIFFIN. Would that have been back in the summer of 1963?

Mr. KRAVITZ. If we could find when Freddie Barber played in Dallas, I could tell you exactly; he's a friend of mine and he plays for 2 weeks at Club Village, which is a club here in town. It possibly could have been last summer.

Mr. GRIFFIN. Do you think there was any homosexual interest on Jack's part?

Mr. KRAVITZ. No; that question was raised to me before. I really have no idea as to Jack's sexual prowess, I certainly don't think the man was homosexual, but then, I don't know.

Mr. GRIFFIN. This must have been a rather lengthy conversation you had with him?

Mr. KRAVITZ. Yes; his club closed at 12 or 1 o'clock, and Freddie and myself and Jack and George Senator, his roommate went to a restaurant, and we sat and talked until—it must have been 4 o'clock in the morning.

Mr. GRIFFIN. Did you have occasion to see George Senator at any time after Oswald was shot?

Mr. KRAVITZ. No.

Mr. GRIFFIN. Have you had occasion to see any of the people who are associated with the Carousel Club since Oswald was shot?

Mr. KRAVITZ. No.

Mr. GRIFFIN. The night that you saw Ruby shortly before the assassination, did you notice anything unusual about his behavior?

Mr. KRAVITZ. No.

Mr. GRIFFIN. Did Jack ever tell you anything about any interest he had in Cuba?

Mr. KRAVITZ. No.

Mr. GRIFFIN. Can you think of anything else that might be of interest to us we haven't covered?

Mr. KRAVITZ. Not to my knowledge; now.

Mr. GRIFFIN. All right, I am going to mark for identification what is a one-page document prepared by FBI Agents Peggs and Zimmerman as a result of an interview they had with you on November 27, 1963. I'm going to mark this exhibit as Herbert B. Kravitz, July 24, 1963, Exhibit 1, and I will hand it to you and ask you to look at it and tell me if that is an accurate report of what you said to Zimmerman and Peggs on November 27?

Mr. KRAVITZ. Well, this is an error here; Parker—that name is wrong—it should be Fred Barber, otherwise that's pretty accurate.

Mr. GRIFFIN. All right, let me ask you to sign it in a conspicuous spot not far from where it has been marked.

(Mr. Kravitz signed instrument referred to.)

Mr. GRIFFIN. All right; thank you very much. I have no more questions. I appreciate your coming here tonight.

Mr. KRAVITZ. All right; I was glad to come.

TESTIMONY OF JOSEPH ROSSI

The testimony of Joseph Rossi was taken at 8:05 p.m., on July 24, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Burt W. Griffin, assistant counsel of the President's Commission.

Mr. GRIFFIN. I am Burt Griffin and I am a member of the general counsel's staff of the President's Commission on the Assassination of President Kennedy.

We have a routine procedure of giving a little information before we start to take testimony, about what we are doing here. I should say first of all, that I should tell you that the President's Commission was set up by Executive order of President Johnson and a joint resolution of Congress. The Commission has been directed to investigate the assassination of President Kennedy and the death of Lee Harvey Oswald and to report back to the President on the facts that we are able to determine in that connection. We have asked you to come here this evening in particular because you have known Jack Ruby and you saw him not too long before President Kennedy came to town.

I have been specifically designated under the rules of the Commission to take your testimony. You have indicated that you didn't get your letter until a day or so ago. The rules provide that you are entitled to 3 days' notice before appearing here, and I might ask you if you are willing to go ahead now without the 3 days' notice?

Mr. ROSSI. Well, what would the notice be in effect for?

Mr. GRIFFIN. It would just give you 3 days to get ready for it.

Mr. ROSSI. Well, I wouldn't be any readier, I don't know, if perhaps talking to a counselor or something like that; but it wouldn't necessarily gain anything—I'm just wondering why they waited this long to get to me.

Mr. GRIFFIN. Well, we have had a lot of work to do and we all wish we could have gotten around a little sooner than we did. If you are willing to go ahead, let me ask you to raise your right hand and be sworn.

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. ROSSI. I do.

Mr. GRIFFIN. Would you state your full name to the court reporter?

Mr. ROSSI. Joseph Rossi.

Mr. GRIFFIN. And how do you spell your last name?

Mr. ROSSI. R-o-s-s-i [spelling].

Mr. GRIFFIN. And where do you live now, Mr. Rossi?

Mr. ROSSI. At the present I reside at 4433 Purdue Street.

Mr. GRIFFIN. Is that in Dallas?

Mr. ROSSI. Dallas, Tex.

Mr. GRIFFIN. When were you born?

Mr. ROSSI. October 24, 1914.

Mr. GRIFFIN. Are you married?

Mr. ROSSI. Yes.

Mr. GRIFFIN. What business are you in?

Mr. ROSSI. Well, at present I am primarily in real estate; or I should say, back into the food or restaurant business and various enterprises. I conduct and am interested in two or three different things; investments, and small little businesses, and what have you; but basically always handling some real estate.

Mr. GRIFFIN. Are you a real estate broker?

Mr. ROSSI. Yes; I am.

Mr. GRIFFIN. Do you run a brokerage agency of any sort?

Mr. ROSSI. Yes, I am an agent on my own. I operate singly and cooperate with other brokers. I deal mostly in commercial or resort type properties and primarily representing the South Padre Island Investment Company.

Mr. GRIFFIN. How do you happen to know Jack Ruby?

Mr. ROSSI. Well, for one thing, we came from the same town and the same neighborhood. I met Jack Ruby when he was here in Dallas and I had been in the entertainment business, in a sense, and worked around with shows and clubs and expositions, and naturally knew quite a few of the club operators around town, or restaurant men and one way or another, ran into Jack Ruby, who was operating a club, and, because of our same birthplace, or growing up in the same town, in the same neighborhood, gave us something in common to talk about. I actually didn't know him in Chicago and our paths never crossed there. I am surprised, they didn't because we resided pretty close in the same area.

Mr. GRIFFIN. How long ago was it that you first met Jack?

Mr. ROSSI. Oh, I would say about 12 or 15 years ago, something like that, and maybe longer now. These months go by now—but I don't really know that.

Mr. GRIFFIN. Over the years, how often did you see him?

Mr. ROSSI. Well, I might see him possibly every day for weeks or so at a time, and then it might be I would not see the man for a year, so to speak.

Mr. GRIFFIN. How would it come about that you would happen to see him every day for a period of time?

Mr. ROSSI. Well, in the latter years I had a coffee shop in the Mercantile Security Building and Jack had his attorney—who officed there in that building.

Mr. GRIFFIN. Which attorney was that?

Mr. ROSSI. Stanley Kaufman; and Jack would have occasion to see him on business or one thing or another. Now, during that period of time I saw Jack, you might say, fairly often—once every couple of weeks or sometimes two or three times a week, but sometimes possibly for not a month. Prior to that time, in his different club enterprise or what have you, because my group—myself and my wife would like to dance or occasionally I go out and look for something in the way of various ideas and call on different people, and possibly stop into a club or two, and I would run into Jack Ruby, or possibly meet him out in a bowling alley or something of that nature. I'm not Jewish, but I patronize them because I like Jewish food and I would occasionally run into Jack in a kosher restaurant or somewhere, or anywhere in town, and I am fairly well known in the downtown area of Dallas and so we would always have a little something to say.

Mr. GRIFFIN. Prior to the fall of 1963, were you ever involved in any business enterprise with him?

Mr. ROSSI. With Jack?

Mr. GRIFFIN. Yes.

Mr. ROSSI. I never really was involved in any business enterprise with him.

Mr. GRIFFIN. Did you ever have occasion to discuss with Jack the opening of a new nightclub?

Mr. ROSSI. Yes.

Mr. GRIFFIN. When did Jack first talk to you about that?

Mr. ROSSI. That was a day or two before the assassination—that must have been about the 20th of November.

Mr. GRIFFIN. Where did that discussion take place?

Mr. ROSSI. Now, I'm going to just take a guess at the dates when I say the 20th—it may have been the 19th. I would have to go back and check some of these things, but I would say roughly somewhere about the 20th, or the day before I left for Brownsville. I was going to a brokers meeting on South Padre Island.

Mr. GRIFFIN. Maybe this would refresh your recollection. When you were interviewed by the FBI on November 25, they have reported that you told them you thought it was the 20th that you saw him; would your recollection at that time have been accurate?

Mr. ROSSI. I think that's about correct, because I believe the President was assassinated on the 22d.

Mr. GRIFFIN. That's right.

Mr. ROSSI. That's when I arrived in Brownsville. I left the previous evening, and I believe it was just the day before, when I spoke to Jack, so I would say it was the 20th—that's—the 20th is about correct, and at that time he discussed two things with me. He had with him a novelty item—a twistboard. It was not very large, about a foot or so square and on a swivel base or a bearing base, and he was quite enthused about it. I go in for some of those little promotional deals of one nature or another, and Jack knew it so he asked my opinion of it and told me it looked like it was going to be a hot item. His brother or relative or some friend, I forget whether it was locally or in Chicago, manufactured them so he had the exclusive or the complete deal on it. The object was to get on the board and twist and that exercised you. In other words, it would be an entertaining or amusement type of exercise—both at the same time.

Mr. GRIFFIN. Did you express any opinion to him?

Mr. ROSSI. Yes; I thought it had good possibilities, and had pretty good appeal, and there were various other things that we spoke of regarding it. He was looking for a little financing or possibly wasn't looking for financing. I am trying to recollect whether he wanted some financing on it or not, and how much it would take to go into it on a big scale. He asked if I was interested and I told him at the time I wasn't. I was pretty well tied up and involved with the South Padre Island resort properties and we were doing some promotional work on the sales of the island, so I told him I would take a raincheck on it.

Mr. GRIFFIN. What was the other business you talked about?

Mr. ROSSI. The other business he also discussed with me was regarding a new type of club—a new type of nightclub, and that it was going to be better, or upgraded from what he had, and I think it was going to be somewhat of a girlie club—swankier and all that—I don't know whether it was going to be a burlesque or not—I don't quite recall.

Mr. GRIFFIN. Did you ever hear him mention anything about a Playboy Club?

Mr. ROSSI. No; at least he didn't mention that to me in regards to this, or, he may have been thinking something about that—that may have been the reference to the girls or something of that nature, because it wasn't going to be just a burlesque type of club. It was going to be a lot on the higher scale and he wanted to know if I would be interested in it. I told him that, again at the present time I wasn't interested but not to exclude me, if things changed or time permitted, that I would consider looking into it further, and if it was worthwhile I would, or if I could afford to, I would participate in it.

Mr. GRIFFIN. Did he want you to invest some money in it?

Mr. ROSSI. Not necessarily; Jack was always pretty nice to me. He had made me offers a number of times to locate my brokerage office up in his club area—he had some spare office space there—and he says, "You are welcome to the space anytime you want it, desk, or equipment." Then at the time I had been looking around for one or two other coffee or snackbar locations, and he informed me that he had equipment up there in his club—kitchen equipment and so forth—and he would be more than glad to give it to me. He was very generous; he said, "If you want it, just take what you need." He said, "Anything I've got you can have." I have never really done anything special for, or given Jack anything of any nature—it's just that possibly I understood him a little bit better than the average person. We have something in common, as I say, from our childhood days.

Mr. GRIFFIN. What exactly did he want you to do with this club?

Mr. ROSSI. Oh, nothing; he knows I'm pretty good as a manager or as an operator—my background has been with food and entertainment. He knew I under-

stood that end of the business. I'm not a drinker or anything like it, and I am pretty steady and dependable.

Mr. GRIFFIN. Where did this conversation take place?

Mr. ROSSI. This took place in the arcade or the lobby of the Mercantile Security Building in front of where, and also in, what used to be my snackbar or coffeeshop.

Mr. GRIFFIN. Had Jack arranged to meet you there?

Mr. ROSSI. No, no. It was one of those chance meetings where he saw me and then just stopped and started talking about the twistboard. I had no idea of even being there at the coffeeshop, let alone that I would see Jack there. My time was limited, because I was making preparations to leave town that night, and I was talking about this the day before—that night.

Mr. GRIFFIN. What time of the day was it when you saw him?

Mr. ROSSI. Oh, I would say it was in the a.m., about, somewhere around 10—possibly 11 o'clock.

Mr. GRIFFIN. Did Jack indicate to you what his business was at the Mercantile Security Building?

Mr. ROSSI. Well, he was going up on the assumption also—I don't recall positively if he mentioned that particular fact, I think he did say something in regards to going up and seeing Mr. Kaufman, his attorney, and looking into this twistboard—I don't recall whether it was in regards to possibly setting up a corporation, or whether it had to do with getting the patent rights or the exclusiveness or something of that sort.

Mr. GRIFFIN. And he specifically mentioned that he was going up to see somebody about the legal aspects of the twistboard.

Mr. ROSSI. Well, as I say, I don't recall just why he was going up to see him, whether it was about the legal aspects of the board or what, but he did mention he was going up to see Mr. Kaufman in regards to something on the twistboard.

Mr. GRIFFIN. Could it have been that he mentioned he was going up to see another attorney about the twistboard?

Mr. ROSSI. I believe he mentioned a tax problem, or at least I mentioned it—there was something or a discussion about a tax problem, inasmuch as he had been involved with a tax problem with the Internal Revenue Department and during the discussion of the club deal. Of course I was aware of his tax problem, and I wasn't going to especially participate in any venture with Jack because I knew that he did have problems of this nature and I didn't want to become involved. But at the same time I did bring up the fact that, "Well, won't this interfere with this business venture or anything like that, that you have?" And he made mention then that he had accumulated or gotten some money or was in the process of getting this all taken care of. That he had the tax problem settled or finalized, and that they would meet with some agreement as to how much or just what amount they would settle for. He was going to get that all squared off, and I believe he made mention of the fact that he had some money set aside for that required settlement. I don't know the exact amount of money, but I think it ran up a fair size sum.

Mr. GRIFFIN. How long did this conversation last, approximately?

Mr. ROSSI. Oh, I would say 20 or 30 minutes.

Mr. GRIFFIN. Was anybody else present?

Mr. ROSSI. Well, yes; one of my former employees was there—well two of them—actually, one is still managing the coffeeshop and the other happened to be in the coffeeshop at the time, and I believe he was there.

Mr. GRIFFIN. What are their names?

Mr. ROSSI. One of them is Joseph Di Gangi and the other is John Trace, and I believe at the time I was talking to Mr. Di Gangi when Jack came walking down the hall and came in. That's how I got to talking to Jack, and I believe Mr. Di Gangi became engrossed in talking to somebody else and Jack and I stepped out in the hall in order to make a little more room for the customers in the snack bar and we did our talking out there.

Is that phone hooked up all right; could I call my present business and let them know where I am at?

Mr. GRIFFIN. Certainly.

(At this point the witness, Mr. Rossi, made a telephone call which lasted approximately 3 minutes.)

Mr. ROSSI. Now, before we continue, let me say this—you led me into this deposition without any preliminary discussion. I noticed though in the request to appear that it made mention of the fact that my testimony would be taken and then allowed for me to read and correct and approve—right?

Mr. GRIFFIN. Yes.

Mr. ROSSI. So, that answers that question there, because inasmuch as this took place—when the incident took place I was down in the valley in Brownsville and talked to the news reporter there—they have—I guess because of space and one thing or another taken it out of context—your conversation and they use what they want and at times when you are expanding on something which you don't necessarily feel like that that is what he is going to print, or, you are just voicing a casual opinion, he might pick that up and make that the important part of his text, and the part that you wanted to say he didn't, and as much as one of the things I did mention to him, and they took this writeup and it didn't appear, was to me important in the sense that I said, "I'm sure that the people of Dallas were more and even greater shocked than anybody else anywhere and that the Dallas people for the many years that I have lived there have all been fine, good people, and all, and this is a thing that happened in my estimation just out of a clear blue sky."

The reason I mentioned it to them—at this point, was the fact that already I could see the attitudes and the feeling of the people all around, but he made no mention of that fact in the paper.

Mr. GRIFFIN. Where did that appear—in the Brownsville paper?

Mr. ROSSI. Yes. Another thing I want to get in here, and I want to set this in the record before any other testimony that I give, and that is, that what I say is without prejudice against Dallas or anybody or anything. There is a certain attitude that I feel was wrong and has been somewhat corrected as this all took place. Emotionally everybody was pretty well upset and all and what I am describing here, took place before anybody else in the country, or anyone had interviewed Ruby, and, important thing that I want to state now is that I knew Ruby—that Jack Ruby was capable of doing what he did regarding Oswald, even prior to my knowing that Jack Ruby actually did it.

Mr. GRIFFIN. How did you know that?

Mr. ROSSI. Well, to clarify it, let me say this: We had just broken up or finished a meeting that the real estate brokers on the island were having regarding the Padre Island development and promotion, when someone came in from the hotel lobby—we were at the Island Hotel or Motel, and said that they had just shot Harvey or Lee Oswald—somebody had just shot him. One thing led to another—they were going to reshow it, at least we didn't see the actual first film of the shooting, so to speak, but they were going to reshow it, so a number of us went out to the lobby of the motel to see the TV showing of it, and while standing there we saw the event take place and then the announcement came through that the one who murdered or shot Harvey Lee Oswald was Jack Ludi. There was a Jack Lodi or Ludi or something like that and standing next to me was Mr. John O'Sorio, who is an attorney, and also the counsel for the company down there, and one of the participants and he turned to me and he asked me—he says, "Joe, you are pretty well known in Dallas, at least you know quite a number of people in Dallas, do you know Jack Lodi," and I replied, "No, I don't know any Jack Lodi or Jack Ruby or Jack Lucas"—whatever it might have been that he said, but I said, "If they had said or made mention of the fact that it was Jack Ruby who had shot Oswald," I says, "I wouldn't be too much surprised."

Then, he asked me why and I says, "Well, he just happens to be that type of a person. He is impulsive and emotional and everything and he probably felt like he was doing something that—a favor or something."

Mr. GRIFFIN. What experiences had you had with Jack Ruby before then that led you to that conclusion?

Mr. Rossi. Well, now, before I answer that question, let me continue—it was not but a minute or so that they got down to the correction on the name and made mention of the fact that it wasn't Lodi or whoever it was but a Jack Ruby, a nightclub operator in Dallas. Mr. Osorio turned to me and said, "By golly, you were right." I said, "I was right, but I was shocked also. I knew that Jack is impulsive, but I didn't think he would do a thing like that just offhand."

The things that led me to feel this way about Jack is that I had seen him or I had stopped off into his club or had seen him in a number of discussions and had occasion to see him argue about certain points and things and knew that he got quite emotional and quite upset. He would be right in his own way and would have no way of possibly explaining it to anybody and couldn't get his point across—it would just get him that much more excited.

I have seen him get pretty worked up over the fact that one of the burlesque dancers was 5 minutes late in her performance and he would just work himself up into a dither, with, "Now, where is she, why isn't she here on time, it's show time and she isn't here," and he would work himself up and all, and saying that he ought to bop her on the head or something like that, and that he was paying them a salary and he couldn't depend on them, and I mentioned to him—I said, "Jack, you act like this is a big George White production or something like that." I said, "After all, your customers are enjoying themselves, they are listening to the emcee and he is popping off jokes and they are drinking their drinks. They don't even know what time it is, let alone, that the girl is supposed to be on."

He said, "But that's beside the point. They pay to come up here and we schedule a show at a certain time and some of these people, even if they don't know the time, are entitled to see it when we specify it."

Now, he was that type of a person. When I mention this, I mean that he was pretty well overwrought and quite angry over little things.

Mr. GRIFFIN. Did you ever hear him get violent over any of these things?

Mr. Rossi. I never really saw Jack get violent but I saw him get pretty angry, or I say he could be violent, if somebody didn't cool him off. So, let's say, that Jack, as I knew him, didn't drink or smoke and always dressed well, and was in as clean appearance as anybody and kept himself clean and wanted to make a good appearance, and wanted to be somebody socially. As I stated, here in this news article and to the Secret Service men who questioned me, and as I mention in the article here (showing newspaper) that because of the lack of education and one thing or another, he was limited. He wanted to become somebody socially or somebody important, and yet, he wasn't accepted quite on that status, and I wouldn't say that the man was frustrated about this, but I know that everything he did, basically he would try to do on an upgrade or try to become somebody more important or better socially or a better man.

Mr. GRIFFIN. What do you know about his friendships with people who are engaged in gambling or other illegal activities?

Mr. Rossi. Whether he had any of those or not, or whether he was engaged in any activities of that type, I'm not the least bit aware of, because I never did talk to him about anything or at least he never spoke to me about any of that, if he was, and I didn't know too many of his other acquaintances outside of by sight or by seeing them around town and so forth, but just general people and all that.

Mr. GRIFFIN. Did he have a reputation among other people of your friends who knew him as being somebody who was on the shady side?

Mr. Rossi. Well, I wouldn't say that the reputation would be on the shady side, but they knew Jack was a manipulator and had been involved in these clubs and there had been some after-hour talk and so forth, but they knew that his background—just like because of mine—where I grew up—you see, it was mentioned even in the article here, it was known as the Bloody 24th Ward, so everything in the way of shades of different colors and hues—that all took place there. Now, whether Jack did any of that here or participated in any of it here, I'm not aware of it.

Mr. GRIFFIN. You didn't have any information at all that people thought he was a professional criminal of any sort?

Mr. Rossi. Oh, there may have been one or two people and I couldn't no more tell you who they were or what, that possibly mentioned in my presence that Jack Ruby—I wouldn't say was a criminal, but knew him as an operator and possibly had reference to him as a little bit of a shady operator or something like that or that he might be capable of it.

Mr. GRIFFIN. Was that before he shot Oswald or after he shot Oswald?

Mr. Rossi. Oh—yes, yes; that was before. Well, I might say, if you put it that way—I heard comments afterwards, but I didn't participate in any of the discussions afterwards.

Mr. GRIFFIN. Did Jack Ruby ever tell you any of his political attitudes—did he ever discuss any of them with you?

Mr. Rossi. No, not especially; not to me personally, but I would say publicly in a sense, and this goes back a little bit of time, I knew definitely that he leaned towards the Democratic party or at least he had a high respect for President Roosevelt.

Mr. GRIFFIN. How did you find that out?

Mr. Rossi. Well, just in his talk about him and everything. Of course, I was against Roosevelt and his policies and all, and any time anybody would mention anything about social security or various doles and so forth and other ways of increasing the expenses, or what have you, or any of the things that Roosevelt reforms, I would expound against them, and I know that Jack took Mr. Roosevelt pretty seriously, and would defend him and his policies. He thought he was a great man and a great President, and I thought Roosevelt was a wonderful salesman and orator myself.

Mr. GRIFFIN. How many of these expressions did you discuss with Jack?

Mr. Rossi. I—oh, I would say—I didn't especially discuss them with him, but I would say in general discussions when perhaps he happened to be in a group and somebody was making some comment on the issue of the day and you know how you have a little political talk involved in it usually.

Mr. GRIFFIN. I am going to mark for identification a document which consists of two pages. It is a copy of a report that two FBI Agents, Thomas W. Crawford and Clay Zachry had with you on November 25 down at Brownsville. I am going to mark this document on the first page, which is actually No. 112, Joseph Rossi Deposition, July 24, 1964, Exhibit No. 1, and the second page of this two-page document is numbered page 113, and I am going to hand both pages to you and ask you to read them and tell us whether or not that is an accurate report of what you told the FBI agents in November 1963?

Mr. Rossi. This is all correct with the exception of the last sentence, in regards to Ruby's hat—it wasn't Ruby's friends that kidded him, but more or less just people that knew him. When Ruby might stop into my place at the coffeeshop or something like that, or any of the old Chicago hoodlums—now, my brother, he won't appreciate this—he will just about kill me, but we called everybody from our area Chicago hoodlums—where we had grown up around there together.

Mr. GRIFFIN. Mr. Rossi, let me ask you if you would sign this on the first page and initial it on the second page, and sign it as near the top line and mark it for identification.

Mr. Rossi. Up here?

Mr. GRIFFIN. Yes.

Mr. Rossi. (Signed instrument referred to.)

Mr. GRIFFIN. Thank you very much for coming here. I am sorry we have had so many mixups, but that could not be helped, and you have been very helpful to us.

Mr. Rossi. Well, that's all right. Do you want any other opinions?

Mr. GRIFFIN. Do you have any others to make?

Mr. Rossi. I think so.

Mr. GRIFFIN. All right, will you state them—I thought we had exhausted about everything, but I will be glad to hear them.

What else do you have that you think will be useful to us?

Mr. Rossi. Well, in my own personal opinion—I think it was an impulsive thing all the way around. I wouldn't say the Dallas people are guilty. It is

just one of those things that gets started, you might say, as a joke and becomes an actuality, and then it's all busted up.

I believe Oswald himself possibly had no intention in the beginning of killing the President or assassinating him, and if I go along with the Morning News I may as well classify it as being suspected of the assassination, and I believe possibly he was more interested in Governor Connally than in the President, but the number of incidents that had taken place prior to Mr. Kennedy's coming to Dallas showed the somewhat emotional feeling of the people here.

Now, Mr. Johnson was pretty well liked but also pretty well disliked, and he also had a reputation of missing ballot boxes or what have you. The incident that took place while he was here was not a reflection of all the Dallas people here. It was just a group of sort of people that were there and somebody impulsively did something, because I think basically you don't go there with the idea of spitting at the President or anything like that, or the Senator, at the time.

The same way, when Mr. Stevenson visited Dallas. I believe the woman that was there was just worked up into a pitch along with many in the crowd and why anybody would go to any place and meet any of these people or form a group, I guess it's all right, but I have seen too much of it, and waving flags and carrying banners, and then you stand there in the front of the line and the next thing you know—she got the urge to pop him on the head, maybe, and she did, but this just built up talk around the Dallas area.

Now, I'll give you some of the coffeshop talk that goes on when you are sitting down having a cup of coffee and people are discussing the events and politics of the day and prior to Mr. Kennedy's arriving here, the general talk then was, "You know what happened to Johnson. You saw what happened to Stevenson, boy, when Jack comes, it's going to be murder. They are just liable to kill him."

Now, this was said in a number of times—I would say—without a doubt I heard the remark a hundred times, but just publicly in general—somebody popping off and of course I know that it was all said but nothing meant by it, but still in all we have a certain amount of people who, I won't say they are not literate enough, but their minds are a little bit warped or they are a little bit more impulsive and we have different institutions that took care of a lot of sick-minded people, but this caused them to think and do a lot of things. I say that subconsciously they are hypnotized with something.

I'm trying to bring out a point here that Ruby and Oswald themselves were in the middle of all this talk, and I would say that Oswald on his job heard quite a bit of this type of talk going on and everything. Ruby knew that in his business dealings during the day and all that, discussed it with friends, either sitting over a cup of coffee, heard the same type of comments—they were just general.

MR. GRIFFIN. Let me ask you: You were not in Dallas on November 22, 23, or 24?

MR. ROSSI. No, I was not.

MR. GRIFFIN. So, you don't know what kind of talk there was around here after Oswald was shot or after Oswald was alleged to have shot the President?

MR. ROSSI. Yes, I do, because it may have been a day or two afterwards—a day or so afterwards that I spoke to my wife and she told me what the general conditions of the Dallas area was, or at least things—but now I know for a fact that down in the valley, even they were talking about this disliking Dallas people, and if you crossed over to the Mexican side, even the Mexicans over there didn't like Dallas tags and they seemed to know who was out of the country, too.

MR. GRIFFIN. So, it is your suggestion that this kind of talk had something to do with it?

MR. ROSSI. People had a fixed idea in their mind about this—that this was all planned, premeditated, and communistic inspired.

After the border was opened between Mexico and the United States, when I crossed over to the Mexican side at Matamoris, I know one or two of the merchants there and in discussing the fact or the incident with this particular

merchant, I told him that I knew Jack and I didn't think that it was Communist inspired or through Cuba or anything and I spoke to him for about 20 minutes, generally speaking, but I could not make that man believe it. The man's comments to me were, "I don't care if you slept with the man or anything, as far as I am concerned, I know this was all brought about through Cuba and the Communists and everything."

He says, "You might know the man, but you may not know him close enough. He may have been a Communist all of his life."

I says, "Well, he could have been, but just from what I know and when I knew him, I never would have suspected or even thought of it and I still don't."

Now, in the newspapers here locally, when I came back to Dallas, there was quite a bit of feeling of animosity about Jack Ruby, so I never made any comments to anybody about my knowing anything or knowing him personally. In other words, I just kept it to myself, and when the trial was going on, I could have gone ahead and offered some testimony on Ruby's behalf, or on just the general behalf of what I knew, but I stayed away, then, because just as Judge Sarah Hughes said, there is a lot more behind all of this and Dallas was guilty of part of it, but that I didn't want to stick my neck out and have the people jumping on me, because it would have hurt me businesswise, and what have you.

Emotionally, they were all still quite upset and it wasn't because of what Jack did. I believe it was because Jack had denied them the privilege of knowing just why Harvey Lee Oswald did it.

Mr. GRIFFIN. Now, this, of course, is something that is not within our province to speculate about here.

Mr. Rossi. Right.

Mr. GRIFFIN. Our job is to find out what the facts are, and as to who did what and where and when, and then try to arrive at some conclusions.

Mr. Rossi. Well, Ruby was very well known by the police. He was a friend to them. Whenever he had the opportunity to be he was a friend to them, because he tried to be ingratiated in their field or area.

I know of one or two little incidents where he would contribute to their welfare funds or what have you and I think then when they had him there at the city hall and they caught him after the shooting, and the remark was made, "You know me, I'm Jack Ruby": it wasn't that he wasn't an important man, but I believe he was trying to say, "You know me, I am Jack Ruby. I am your friend, I don't hate cops. I was doing this to help you because your hands were tied."

And I had heard comments made to the effect that many more people said if they had a chance they would get Oswald. I had even heard this comment made in the coffee shops and down in the valley there, that the assassination was set up by Johnson.

Mr. GRIFFIN. Well, as I say, this speculation which we really can't indulge in but I appreciate your wanting to offer this to us.

Mr. Rossi. Well, I am offering it because I think I have studied it and looked at it and I know it and I feel like I know about it, but I don't know—I may be completely 100 percent all wet.

Mr. GRIFFIN. I think we will all be able to form a lot better impression of this after we have gathered all the facts and we are able to sit down and inform the people after we have evaluated it, and I know that from what you have said you will probably be very interested in knowing that we are developing these facts and we are going to publish it in—650 pages—we are working toward, but I want to thank you very much for coming here tonight, Mr. Rossi.

Mr. Rossi. All right. I feel it is a privilege and if I have been of any help—fine.

Mr. GRIFFIN. It has been a pleasure to have you, and again, we appreciate your cooperation in this matter.

Mr. Rossi. I guess everybody is sorry it happened—and I am not a Democrat.

Mr. GRIFFIN. Well, I know there are a lot of people who are, are sorry that it happened.

Mr. Rossi. Well, if I could go back and go three times and bring him back, because I think he was one of the finest young men we have had, at least, I felt that way, and I felt most of us felt that way and I think Ruby wanted to be

somebody and he felt that way—he looked up to the President and thought that he was a fine President, and at any rate that's all changed.

Mr. GRIFFIN. All right, thank you very much, Mr. Rossi, for coming down.

Mr. ROSSI. Thank you.

TESTIMONY OF NORMAN EARL WRIGHT

The testimony of Norman Earl Wright was taken at 9:10 a.m., on July 24, 1964, in the office of the U.S. attorney, 301 Post Office Building Bryan and Ervay Streets, Dallas, Tex., by Mr. Burt W. Griffin, assistant counsel of the President's Commission.

Mr. GRIFFIN. Let me introduce myself. My name is Burt Griffin. I am a member of the staff of the general counsel's office of the President's Commission on the Assassination of President Kennedy.

I want to tell you a little bit before I administer the oath and start to ask you questions about the nature of the proceedings that we are going to have here for the next few minutes.

The Commission that I work for was set up by President Johnson under an Executive order which he issued on November 29 of last year, and also pursuant to a joint resolution of Congress.

We have been directed to investigate into and evaluate and report back to the President on all the facts that relate to the assassination of President Kennedy and the death of Lee Harvey Oswald.

Under this Executive order and joint resolution, the Commission has been given authority to promulgate certain rules and regulations. Pursuant to those rules and regulations I have been designated to take your deposition. Our particular purpose in calling you here today, as you probably well would imagine, is to find out what you know about Jack Ruby. But if you have any information about the assassination of President Kennedy or any other matters that we are inquiring into, we would like to have any of that that you can give us.

Let me ask you if you received a letter from the Commission.

Mr. WRIGHT. Well, the letter is in St. Louis, but I didn't receive it while I was there. I was on my way when it came to East St. Louis.

Mr. GRIFFIN. I should tell you under the rules of the Commission you are entitled to receive written notice from us 3 days before you appear here, and I would ask you at this point if you are willing to go forward without actually having received the letter.

Mr. WRIGHT. Yes. I spent a lot of money on this.

Mr. GRIFFIN. Do you have any questions about this proceeding before I administer the oath?

Mr. WRIGHT. None whatsoever, because I have been through this with the FBI quite a few times on the west coast, and I imagine it is along similar lines.

Mr. GRIFFIN. Let me ask you to raise your right hand. Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. WRIGHT. I do.

Mr. GRIFFIN. Will you state to the reporter your full name?

Mr. WRIGHT. My full name is Norman Earl Wright. My stage name is Earl Norman.

Mr. GRIFFIN. Where do you presently live?

Mr. WRIGHT. I live at 8820 Bermuda Street, Caseyville, Ill.

Mr. GRIFFIN. Were you living in Dallas in the fall of 1963?

Mr. WRIGHT. Yes. My family was here. I will explain that. I lived here, but the week of the Friday the President was killed, I opened at the Largo Club in California the night he was killed, on that day, which would be November 22.

Mr. GRIFFIN. Where had you been working in Dallas previous to that?

Mr. WRIGHT. Previously I worked for Jack for over a year. I worked for Abe at the Colony Club. I don't remember exactly how long. I worked for Barney at the Theatre Lounge.

Mr. GRIFFIN. Immediately before you went to California, who were you working for?

Mr. WRIGHT. Barney Weinstein.

Mr. GRIFFIN. Theatre Lounge?

Mr. WRIGHT. Theatre Lounge.

Mr. GRIFFIN. You ceased working for Barney when?

Mr. WRIGHT. Well, it was the Sunday. I don't know the date, but it was the Sunday before I opened the following Friday.

Mr. GRIFFIN. That would have been the 17th of November? Friday was the 22d.

Mr. WRIGHT. Yes; I closed on a Sunday and opened out there on a Friday.

Mr. GRIFFIN. Did you have then 4 days in which you were unemployed before Sunday to Friday?

Mr. WRIGHT. Well, I had left here. I stayed here until Tuesday and left Tuesday and arrived in California Wednesday afternoon, because I was directed by my agent to be there by Wednesday night, which the club only requested that I be in 2 days before opening.

Mr. GRIFFIN. I want to go back somewhat in time and ask you when it was that you first met Jack Ruby.

Mr. WRIGHT. It was in June of 1961 when I came to work for him.

Mr. GRIFFIN. How did you happen to become employed by him?

Mr. WRIGHT. I was employed by an agent out of St. Louis. I got a contract from an agent, Mike Riaff in St. Louis, to come to work for Jack Ruby at the Carousel Club, and it was the first time I had met Jack, or the first time I had been in Dallas in about 11 years, I imagine.

Mr. GRIFFIN. What actually is it that you do?

Mr. WRIGHT. I am a comic, MC, and I sing and do comedy, and run the show.

Mr. GRIFFIN. How long have you been in that line of business?

Mr. WRIGHT. Since 1950.

Mr. GRIFFIN. How old are you now?

Mr. WRIGHT. Thirty-nine.

Mr. GRIFFIN. How long did you work for Jack when you started in June of 1961?

Mr. WRIGHT. Well, it was approximately about 13 or 14 months. I don't really remember the exact length of time.

Mr. GRIFFIN. How did you happen to terminate your employment with him?

Mr. WRIGHT. Well, the first time I got very ill because I was working 7 days a week consistently, for approximately 6 months, and I lost the hearing in one of my ears and practically lost my voice. He didn't want to let me go, so I just quit and went back to St. Louis.

Mr. GRIFFIN. Then did you work for him again?

Mr. WRIGHT. Yes. I went to Biloxi, Miss., and Jack called me down there and asked me to come back to work for him, and I came back again.

Mr. GRIFFIN. When was it approximately that you came back to work for him?

Mr. WRIGHT. Well, it was, I would say, approximately 8 weeks after I left.

Mr. GRIFFIN. Still would have been the latter part of 1962?

Mr. WRIGHT. Yes.

Mr. GRIFFIN. How long did you work for him on that occasion?

Mr. WRIGHT. About 5 or 6 months. I don't remember exactly.

Mr. GRIFFIN. Did you ever work for him again after that?

Mr. WRIGHT. Off and on. Sometimes as a relief for the MC there, or maybe a week at a time, or 2 weeks at a time, but no more than 2 weeks at a time.

Mr. GRIFFIN. I would like you to tell us something about Jack Ruby's attitude toward the kind of jokes that he permitted to be told in his club.

Mr. WRIGHT. Well, Jack—first of all, the first thing he told any MC, including myself or anyone else, was that he did not want anyone to tell any Jewish stories. Later on I realized the fact that he was very self-conscious about many things about him personally, and I imagine that is why I came

to this conclusion. But most of the material would be standard material for burlesque houses.

MR. GRIFFIN. Can you tell us what sort of personal things Jack was sensitive about?

MR. WRIGHT. His hair. His speech.

MR. GRIFFIN. What was there about his speech?

MR. WRIGHT. Well, he had a small impediment in his speech that he was quite conscious of.

MR. GRIFFIN. Was it a lisp?

MR. WRIGHT. Sort of a lisp, and he wore a hat practically all the time outside of the club. He was very conscious of that. And he was very conscious of his weight. He was always going on a diet, or weightlifting, or something, and he was always conscious of the fact that a lot of people thought he was sort of a gay boy. Whether he was, I don't know personally.

MR. GRIFFIN. What was there—I take it by “gay boy,” you mean that he was a homosexual?

MR. WRIGHT. Yes.

MR. GRIFFIN. What was there about him that gave that impression?

MR. WRIGHT. I don't know. He never impressed me that way, but he himself thought that people thought he was that way.

MR. GRIFFIN. Had you ever heard anyone say that they thought he was a homosexual?

MR. WRIGHT. No; not personally.

MR. GRIFFIN. How would Jack mention this to you?

MR. WRIGHT. Well, in a joking manner. As I remember, one time someone gave him a cigar or something, and he put it in his mouth and lit it and said to me, “I don't look gay now, do I?” It was Jack's attitude toward people that I imagine some people might have thought he was that way.

MR. GRIFFIN. Can you be more explicit about his attitude toward people?

MR. WRIGHT. Well, he seemed, and I imagine in the eyes of most people, to go out generally with more men than women. But there were more women that came to the club to see Jack than men. George Senator is about the only guy that I know that he ran around with who was his roommate, and Ralph Paul, who was one of his partners. But other than that—

MR. GRIFFIN. Was the Carousel Club frequented, to your knowledge, by homosexuals?

MR. WRIGHT. No.

MR. GRIFFIN. Are there clubs in Dallas which are hangouts for homosexuals?

MR. WRIGHT. Yes.

MR. GRIFFIN. Did Jack object to any sort of religious jokes other than Jewish jokes?

MR. WRIGHT. Not to my knowledge. He specifically made a statement that he didn't want any Jewish stories at all told, whether or not they were jokes or just stories or anything about Jewish people.

MR. GRIFFIN. Was there anything else in his conversation with you or his behavior that suggested other things concerning his attitude about being a Jew?

MR. WRIGHT. No; not to my knowledge, because I worked for just about every club. He was a typical club owner, but an odd one.

MR. GRIFFIN. Now, you had worked for the two Weinstens, and I take it they are both Jewish?

MR. WRIGHT. Yes.

MR. GRIFFIN. Did they have the same attitude toward Jewish jokes?

MR. WRIGHT. No; very few Jewish people do have. In fact, I worked for a lot of Jewish people, and Jack is the only Jewish owner of any club that ever told me that or has ever told any MC that.

MR. GRIFFIN. Have you every been in Jack's apartment?

MR. WRIGHT. Yes; I was over there once. George fixed dinner, and I don't know, there were a bunch of kids from the club, and we all went over one night after closing.

MR. GRIFFIN. Do you ever recall seeing any books in Jack's apartment?

MR. WRIGHT. No.

Mr. GRIFFIN. Do you ever recall talking with him about any books that he had been reading?

Mr. WRIGHT. Never.

Mr. GRIFFIN. Specifically, did he ever mention to you that he was reading any books about the Jewish people such as Exodus by Uris?

Mr. WRIGHT. No; not to me.

Mr. GRIFFIN. Did Jack ever indicate that he didn't approve of Catholic jokes?

Mr. WRIGHT. No.

Mr. GRIFFIN. Did you have any limitation on the sexual jokes that might be told?

Mr. WRIGHT. Well, yes. There is a standard that I think all MC's with quality carry, and Jack, operating as an operator here in Dallas, realized that you can only go so far, and if you go over further, you only end up hurting yourself anyway. He maintained as good an operation as anyone else in town, as far as I am concerned.

Mr. GRIFFIN. Did he ever express any views on the political jokes that you might have told?

Mr. WRIGHT. No.

Mr. GRIFFIN. Specifically, did you have any occasion to talk with him about President Kennedy?

Mr. WRIGHT. I imagine once or twice he mentioned the fact that he admired President Kennedy quite a bit and had a great deal of admiration for him and what he was trying to do.

Mr. GRIFFIN. Do you have any specific recollection of such a conversation?

Mr. WRIGHT. Not specifically; no.

Mr. GRIFFIN. What sort of relationships did he have with his employees?

Mr. WRIGHT. Well, with Jack, it was an off and on relationship. He could be smiling and joking with you one moment, and then be mad and ready to throw you out of his club the next. He was a very unpredictable man when it came to relationship between employees and boss.

Mr. GRIFFIN. How was his employee turnover? What success did he have in keeping people?

Mr. WRIGHT. He had very good success in keeping people. Jack was the type of person that you liked and disliked, and how you can analyze this, I don't know. But with all his faults, the way he did things, you still liked the man, and at the same time he could make you dislike him just like that [snapping fingers], you know, on the spur of the moment.

Mr. GRIFFIN. Was it your experience that once he hired somebody, that that person stayed with him?

Mr. WRIGHT. Pretty much so. I know the length of time I worked with Jack, and even after I left Jack, most of the employees that were there when I came there and came there after I was there, were still there when I left.

Mr. GRIFFIN. Did this include the dancers?

Mr. WRIGHT. Most of the dancers, and the band was there for the year and a half after I left.

Mr. GRIFFIN. What was Jack's attitude toward his competitors, the Weinsteins?

Mr. WRIGHT. He thought they were out to close him up. Neither Abe nor Barney were worried too much about Jack, but Jack worried all the time about them. He tried to outdo them or capitalize on any publicity that might bring people from their club to his club.

Mr. GRIFFIN. What was it that they did which indicated to Jack that they were trying to close him up?

Mr. WRIGHT. Nothing. Just Jack's own mind and the way he thought.

Mr. GRIFFIN. What sort of things did he attempt to do to attract people from their club to his club?

Mr. WRIGHT. Well, trying to put in different ads. In fact, he had a billboard made about his club and some of the pictures of the acts in the club put in the cleaners underneath Abe's club and things of that sort.

Mr. GRIFFIN. That is the Enquire Shine & Press Shop?

Mr. WRIGHT. Yes; it is right below Abe's club and each night the guy would

stick it in the window and it advertised Jack's club, which was down on the other side of the parking lot from Abe's club.

Mr. GRIFFIN. Did Jack use amateur strippers in his shows?

Mr. WRIGHT. Yes; they all do.

Mr. GRIFFIN. Now, do you recall that there came a time when Jack felt that he wasn't being permitted to use the amateurs and the Weinstains were?

Mr. WRIGHT. Well, Jack fought the battle. First of all, Jack didn't like to put out the money that Abe and Barney were putting out, because Abe and Barney would use on their amateur shows, which is held once a week in each club, they would use on the average, if they had the girls, maybe five or six girls, which would cost them anywhere from \$10 to \$15 a girl. Jack felt that that was too much money to put out, so he would, therefore, use three or four girls. But in the meantime, he was trying to get the union to stop amateur shows altogether.

Mr. GRIFFITH. Did the union have any sort of rule against amateur shows?

Mr. WRIGHT. They did and they didn't. We never actually found out.

Mr. GRIFFIN. What was ambiguous about the rules which they had in this respect?

Mr. WRIGHT. Well, our constitution says that no professional entertainer is to work with an amateur entertainer. This was the primary rule that Jack was basing his complaint on, which I and most of the entertainers at the time agreed upon. But you must work in this business, and therefore, Barney and Abe, well, especially Barney, started the amateur shows, I think about 13 years ago, and he has put a lot of people in business as far as dancers go, and he has put a lot of people to work. I was on the local board at the time, and we had memos from the west coast and New York.

Mr. GRIFFIN. Excuse me, was this the local board of the American Guild of Variety Artists?

Mr. WRIGHT. Yes; it is the local executive board. We were sent memos to the branch managers that at one time the amateur shows were to cease, or these people were to join the union and then they could work. Well, this was complied with, and then not long after that, the people that were head of the various regional offices were fired and we had new memos. So actually, we never found out whether the whole thing is still legal or illegal, but a lot of the kids that were amateurs joined the union, and some of them still belong to the union.

But I imagine some of them don't. I don't know for sure, because I quit the board because of the fact that we got one memo that said one thing, and another memo that would contradict the memo before, so it got to be a confusing situation altogether. When I got out in California, I went to see Mazzie, who, when I left Dallas, was the west coast regional director of AGVA.

Mr. GRIFFIN. M-a-z-z-i-e?

Mr. WRIGHT. Yes; well he was west regional director. But when I got to California, I went up to see him to talk to him about what was going on in Dallas. He had been fired and Bobby Faye in New York had been fired. They went into an interim committee that took care of the union until recently. I understand they had elections, and I forget the gentleman, I don't even know the guy that is head of the thing. I haven't bothered to look to see.

See, our union is not run like most unions. AGVA is run by the secretary of the union, and then you take people like Joey Adams who was president. It is an honorary thing. Then you have the vice presidents and so forth. But the main part of the union is run by the members of the national board.

Mr. GRIFFIN. When did you quit the local board here in Dallas?

Mr. WRIGHT. It was about a month before I left town, I believe.

Mr. GRIFFIN. While you were on the local board, did Jack come to you about his problems with the Weinstains?

Mr. WRIGHT. He went to everybody on the board about his problems.

Mr. GRIFFIN. Did he come to you?

Mr. WRIGHT. Yes.

Mr. GRIFFIN. Did he feel that you were helping him or not?

Mr. WRIGHT. Well, when I left town—in fact, the main reason, one of the reasons that I resigned from the board was the fact Jack thought after I had gone to work for Barney and Abe after leaving him, that I was against him.

and whatever happened to the board, I was doing for the benefit of Barney and Abe. In fact, last time I saw Jack before I left town, he refused to let me in his club because he said I was with his competitors against him.

Mr. GRIFFIN. I want to ask you some specific questions about that particular incident. How did you happen to go to Jack's club that night?

Mr. WRIGHT. Well, I was working at the Theatre Lounge, and the Theatre Lounge only does three shows a night, and Jack was doing a continuous show. I had about a 20- or 25-minute break, so I walked over to see Wally Weston, who was working there at the time.

Mr. GRIFFIN. You didn't come over to see Jack?

Mr. WRIGHT. Well, I went over to see Jack or Wally, whoever was there. No one specifically. All three clubs are within half a block of each other, and you walk around between shows.

Mr. GRIFFIN. How far did you get into the club?

Mr. WRIGHT. I got to the door.

Mr. GRIFFIN. What happened?

Mr. WRIGHT. Well, he asked me to leave.

Mr. GRIFFIN. Do you know whether or not he had a gun with him?

Mr. WRIGHT. No; I don't.

Mr. GRIFFIN. Do you know whether he asked anybody to go get a gun when you came up, or when he saw you coming up?

Mr. WRIGHT. No.

Mr. GRIFFIN. Did he threaten you in any way?

Mr. WRIGHT. No; he just asked me to leave.

Mr. GRIFFIN. Did you have an argument with him there?

Mr. WRIGHT. No; he just said, "I don't want you in my club. You are against me." I said, "Fine." So I left.

Mr. GRIFFIN. Had he ever asked you to do anything for him in connection with his complaint about the amateur strippers?

Mr. WRIGHT. Well, he had asked to bring up at board meetings the reason why it hadn't been cut out, because of his complaint. In fact, I believe he called Bobby Faye in New York several times, and called Mазzie in California several times.

Mr. GRIFFIN. Was any effort made by the people who were in charge of AGVA to get the Weinstens to stop using the amateurs in their shows?

Mr. WRIGHT. Well, like I said, we got memos to one effect that they were either to stop or the kids were to join the union, and then most of the kids joined the union, and in that way it went from \$10 or \$15 per girl to \$35; which is our minimum that any act can receive as long as they are carrying a card. \$35 per performance or per show, which would be one performance of the amateurs.

Mr. GRIFFIN. Was Jack continuing to use amateur dancers during this period that he was complaining about the Weinstens?

Mr. WRIGHT. Oh, yes; he wasn't about to cut it out. Sometimes he would use one or two girls instead of using four or five on something.

Mr. GRIFFIN. Did he advertise also that he was using amateurs?

Mr. WRIGHT. Yes.

Mr. GRIFFIN. Did you ever hear Jack Ruby discuss any political idea or political movements?

Mr. WRIGHT. No.

Mr. GRIFFIN. Specifically, did you ever hear him talk about H. L. Hunt?

Mr. WRIGHT. Not to me.

Mr. GRIFFIN. Did you ever see Ruby with any political literature of any sort?

Mr. WRIGHT. No.

Mr. GRIFFIN. Did you ever talk with Jack about what his aspirations were?

Mr. WRIGHT. No; never.

Mr. GRIFFIN. Some people have mentioned that Jack sort of admired what he called "class." Do you ever recall that?

Mr. WRIGHT. Jack always wanted to be Mr. Big. He felt that he should be the top nightclub owner and the top boss in town, and he tried to capitalize on any type of publicity he could to promote his club.

Mr. GRIFFIN. Do you consider it unusual that Jack Ruby should not have at-

tended the Presidential motorcade, and yet at the same time was very upset over the assassination?

Mr. WRIGHT. Well, like I said before, Jack was a peculiar man. To analyze his thinking within a period of an hour, would take a mass of brains to do so, because he never actually—Jack did things like this, where other people would think them out [snapping fingers].

I have seen him argue and get mad with somebody for no reason at all, just because of what they said or the way they acted just hit him the wrong way. And to say why he would do this and not do this, I couldn't say. As long as I knew him, he still mystified me.

Mr. GRIFFIN. Were you ever with Jack when he had a gun with him?

Mr. WRIGHT. Yes; he carried a gun in a bank bag on the seat of his car when he went to the bank.

Mr. GRIFFIN. Was it his custom to carry the gun in his pocket?

Mr. WRIGHT. Not to my knowledge.

Mr. GRIFFIN. Did you ever have occasion to drive Jack's automobile?

Mr. WRIGHT. No.

Mr. GRIFFIN. Do you know whether Jack had any particular practice concerning where he kept his car keys?

Mr. WRIGHT. No; I imagine in his pocket because I know he kept a lot of his money from the night's receipts. He put his money—a lot of the time I have seen him put his money in the trunk of his car.

Mr. GRIFFIN. Was Kathy Kay working for Jack Ruby when you worked for him?

Mr. WRIGHT. Yes; in fact, we started her off as a professional entertainer when I was there.

Mr. GRIFFIN. Was that the first time that you worked for him that she started?

Mr. WRIGHT. Yes; well, she did a couple of amateur shows, and then he put her to work as a regular dancer.

Mr. GRIFFIN. But she had worked for him then, I take it, since sometime in 1961?

Mr. WRIGHT. Yes.

Mr. GRIFFIN. How about Tammi True, was she working for Jack when you worked for him?

Mr. WRIGHT. Well, she came later on. I worked with Tammi, I don't know exactly what month, but I have worked with her. I worked there with Millie Perelle, and worked there with Lee Sharon. I was trying to think of the girl that was there when I first came there. She is quite a good dancer. I can't remember her name. But Kathy Kay, Jack put into the business, as far as a professional dancer.

Mr. GRIFFIN. At the time the President was shot, was Kathy Kay a dancer who had worked for Jack the longest of any of the ones he had?

Mr. WRIGHT. I believe so, to my best knowledge, because you got to understand I was in and out of town a lot of times, too, and I don't know whether the girls were there. I know she was there most of the time when I came back into Dallas, so I just assumed that she had been there all the time.

Mr. GRIFFIN. Do you know how Little Lynn happened to leave the employ of the Weinsteins and go to work for Jack?

Mr. WRIGHT. I have no idea; because I was not working for Jack at the time.

Mr. GRIFFIN. Was Little Lynn working for the Weinsteins?

Mr. WRIGHT. Yes; I was working for Barney when she came to work for Barney, and I believe, I am not quite sure, I know she didn't show up for 2 or 3 nights or something, or didn't come to work, and didn't call or anything, and Barney fired her. I assume that is the reason she went to work for Jack.

Mr. GRIFFIN. I am going to hand you what I have marked for identification as Norman E. Wright Deposition, July 24, 1964, Exhibit No. 1. This is a document that consists of three pages numbered at the bottom as 556, 557, and 558. It purports to be a copy of an interview report which was prepared by FBI Agent Lloyd D. Johnson, and Agent Aldo A. Giannecchini, after they had an interview with you on November 26.

Look this over and read it carefully and tell me if it accurately records what you told them on the 26th of November.

Mr. WRIGHT (after reading). I think that is pretty much what I said.

Mr. GRIFFIN. You are satisfied that this is an accurate report of what you said?

Mr. WRIGHT. Yes.

Mr. GRIFFIN. Then let me ask you to sign it on the first page near where I have marked it.

Mr. WRIGHT (initials).

Mr. GRIFFIN. As a final question, let me ask you, Mr. Wright, is there anything that you can think of that you know about Jack Ruby or know about the activities of November 22, 23, and 24, that might be helpful to the Commission that we haven't covered?

Mr. WRIGHT. If I did, I would be glad to tell you, but being in Los Angeles during the whole time and not getting back to Dallas until after the middle of January, I have no more knowledge than what I have already stated.

Mr. GRIFFIN. Have you any information or heard anything which you think might be reliable about how Jack Ruby got into the basement of the police department on the 24th?

Mr. WRIGHT. No; I don't. But I do believe that the way the—where the source came from, I have no idea, but I did hear that Sheriff Decker sent a car and a wagon, I believe, to pick Oswald up at 2 o'clock in the morning, and Chief Curry said that he had promised the news media that he would bring Oswald down at 11 that morning. Actually, this is hearsay, as far as I am concerned, but I have heard that.

The only other thing that I believe, in my own opinion, the police department is just as much to blame as Jack in a roundabout way, because there was no reason in the world, with all the police they had, for Jack to walk directly straight through that many people and walk up to a man and shoot him. I personally believe that they shared at least 50 percent of the blame.

Mr. GRIFFIN. Well, I appreciate your frankness.

Mr. WRIGHT. Well, that's the only way I can be.

Mr. GRIFFIN. That's right and I appreciate your coming here today. You have indicated previously that this did interfere with a prospect for a job that you had, so the Commission appreciates anybody who is willing to give us the time under circumstances like that. I have no more questions, and if you have no more questions—

Mr. WRIGHT. I have no more questions.

Mr. GRIFFIN. All right, thank you very much.

TESTIMONY OF RUSSELL LEE MOORE (KNIGHT)

The testimony of Russell Lee Moore was taken on July 23, 1964, at the U.S. Courthouse, Chicago, Ill., by Mr. Burt W. Griffin, assistant counsel of the President's Commission.

Mr. GRIFFIN. Let me start by introducing myself. I am Burt Griffin, and I am a member of the general counsel's staff of the President's Commission on the Assassination of President Kennedy.

Generally our practice, before we swear the witness in and begin to take testimony, is to give you a little explanation of what we are trying to do here, give you some background on the investigation.

The Commission was set up pursuant to an Executive order of President Johnson, issued on November 29, and a subsequent joint resolution of Congress.

Now, under this Executive order and joint resolution, the Commission is instructed to investigate into and evaluate and report back to the President all the facts surrounding the assassination of President Kennedy and the death of Lee Harvey Oswald.

We are particularly interested in your testimony today because of your ac-

quaintanceship with Jack Ruby. My questions will be directed along that line.

If you have any information at all that would bear on the assassination of President Kennedy, why, we would like to have that also.

Now, the Commission has promulgated a series of rules and regulations, and under the rules and regulations of the Commission, I am designated to take your testimony.

There is also a provision in the rules that a witness is entitled to have a 3-day written notice before he appears for testimony. I think the first thing I will ask you, you did get a letter from us 3 days before you showed up here?

Mr. MOORE. Well, it was Tuesday.

Mr. GRIFFIN. Then I will ask you if you are willing to waive the written notice of the deposition.

Mr. MOORE. Yes.

Mr. GRIFFIN. Do you have any questions about the general nature of the testimony that will be taken here this afternoon before I get started?

Mr. MOORE. No. I have some things that I can add after your questions.

Mr. GRIFFIN. Very good. Let me ask you then if you will raise your right hand and I will administer the oath to you. Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. MOORE. I do.

Mr. GRIFFIN. Will you state for the record your full name?

Mr. MOORE. Russell Moore, known as Russ Knight.

Mr. GRIFFIN. Do you have a middle name?

Mr. MOORE. Lee, Russell Lee Moore.

Mr. GRIFFIN. How would you prefer to have this deposition designated? Shall I address you as Mr. Moore or shall I call you Mr. Knight?

Mr. MOORE. I think Mr. Knight because this is my air name, Russ Knight.

Mr. GRIFFIN. Where do you live, Mr. Knight?

Mr. KNIGHT. Auburn Heights, Mich.

Mr. GRIFFIN. And will you give us your full address?

Mr. KNIGHT. 645 Auburn Heights, Mich.

Mr. GRIFFIN. How long have you been in Michigan?

Mr. KNIGHT. Just about a month.

Mr. GRIFFIN. And were you in Dallas before that?

Mr. KNIGHT. Yes.

Mr. GRIFFIN. Are you married?

Mr. KNIGHT. Yes.

Mr. GRIFFIN. And do you have a family?

Mr. KNIGHT. Two boys.

Mr. GRIFFIN. When did you first begin to work in Dallas?

Mr. KNIGHT. Let's see. The last of February 1960.

Mr. GRIFFIN. And what was your occupation then?

Mr. KNIGHT. Radio announcer.

Mr. GRIFFIN. Who did you work for?

Mr. KNIGHT. KLIF.

Mr. GRIFFIN. How long did you work for KLIF?

Mr. KNIGHT. From that time until about a month ago which would be 1964, first of June.

Mr. GRIFFIN. Are you now employed as a radio announcer?

Mr. KNIGHT. Yes, in Detroit.

Mr. GRIFFIN. Who are you with in Detroit?

Mr. KNIGHT. WXYZ, ABC.

Mr. GRIFFIN. Can you tell us in a general way what your duties were as a radio announcer at KLIF?

Mr. KNIGHT. Personality and playing records. In other words, a personality radio show.

Mr. GRIFFIN. Were you in the news department?

Mr. KNIGHT. I helped out occasionally in the news department.

Mr. GRIFFIN. Was there a staff of reporters employed by KLIF?

Mr. KNIGHT. Yes.

Mr. GRIFFIN. Who was in charge of the news department?

Mr. KNIGHT. Joe Long.

Mr. GRIFFIN. And how many reporters did he have under him?

Mr. KNIGHT. Let's see. Sometimes four but at the present time three.

Mr. GRIFFIN. All right. Do you recall who those people were on November 22?

Mr. KNIGHT. November 22? One was Glenn Duncan, Gary DeLaune, and Roy Nichols.

Mr. GRIFFIN. While you were working in Dallas, did you have occasion to meet Jack Ruby before November 22, 1963?

Mr. KNIGHT. Yes.

Mr. GRIFFIN. Give us your best recollection of when it was that you first met Ruby.

Mr. KNIGHT. I would say, I can't pinpoint the date, but about, I guess about a year or so before the assassination. I met him at a place called the Cotton Bowling Palace. It's a place where people congregate that work late, and I worked till midnight. I would stop there on the way home for a cup of coffee.

Mr. GRIFFIN. Tell us about that episode.

Mr. KNIGHT. We were just all sitting around the table as far as I remember, and somebody mentioned Jack Ruby's name, the owner of the Carousel. And there were other friends of Ruby with him at the time but I don't recall their names.

Mr. GRIFFIN. Did you have any conversation with him at that time?

Mr. KNIGHT. Yes. But it was of such a menial nature I wouldn't—

Mr. GRIFFIN. All right. Did you see him from time to time after that?

Mr. KNIGHT. Yes. I saw him at this establishment.

Mr. GRIFFIN. How many times would you say you saw him between the time you first met him and November 22?

Mr. KNIGHT. Oh, no way again of being sure. I would say probably 7, 8, 9, 10 times.

Mr. GRIFFIN. Did you ever visit any of his clubs?

Mr. KNIGHT. I was down at his Carousel Club with my wife.

Mr. GRIFFIN. How long was that before the assassination?

Mr. KNIGHT. Well, let's see. At least 9, 8 months; 8 or 9 months.

Mr. GRIFFIN. Did you have any occasion to talk with him in connection with your duties at KLIF?

Mr. KNIGHT. Yes; he had, he was up at the station.

Mr. GRIFFIN. Prior to the time of the assassination?

Mr. KNIGHT. Yes.

Mr. GRIFFIN. About how many times did you see him at the station?

Mr. KNIGHT. Only about twice. He had some commercials advertising his club that run on my show.

Mr. GRIFFIN. How long did he run these commercials to your recollection?

Mr. KNIGHT. About a week; just about a week.

Mr. GRIFFIN. About how long was that before the assassination?

Mr. KNIGHT. It was in that same area, about 9 or 10 months.

Mr. GRIFFIN. And what kind of conversation did you have with him?

Mr. KNIGHT. Nothing other than he had the usual pitch, do a good job on these commercials, so forth and so on, and he at times would call me at the station at night, asking how we are coming along, to add this or put this in here. Of course, I couldn't do that but he did call.

Mr. GRIFFIN. Did he advertise on any other radio stations that you know of?

Mr. KNIGHT. I am sure he did but not at that particular time.

Mr. GRIFFIN. Is it unusual for a nightclub operator such as Ruby who is running a striptease club to be advertising on the radio?

Mr. KNIGHT. No, not if it's—no. No. Because several other places of the same nature advertise.

Mr. GRIFFIN. Did he ever talk to you about promoting his twistboards over the radio?

Mr. KNIGHT. Twistboards?

Mr. GRIFFIN. Did you ever hear of that?

Mr. KNIGHT. No.

Mr. GRIFFIN. Did he ever talk to you about any promotion other than his clubs?

Mr. KNIGHT. No.

Mr. GRIFFIN. Did he give you at any time a membership card or say that he was going to make you a member of the Carousel Club?

Mr. KNIGHT. No; because it was an open club anyway.

Mr. GRIFFIN. Where were you at the time that President Kennedy was killed?

Mr. KNIGHT. I was home, asleep, at my address on Barnsbridge Road in Dallas, taking a nap that afternoon, and my wife was in Corpus Christi. And she heard about it before I did and she called me on the phone and told me the original news. That's the way I heard about it.

Mr. GRIFFIN. What did you do after you heard that the President had been shot?

Mr. KNIGHT. Well, the first thing I did was turn on the radio. Then I finished with—what would you do? I paced the floor and so forth.

Mr. GRIFFIN. I am trying to trace where you went.

Mr. KNIGHT. I didn't go to any place at that time because I didn't have to go to work till 7. My shift was 7 till midnight. My wife and kids were down in Corpus Christi visiting her mother. I was there by myself. So I just stayed there at my home on Barnsbridge until I went to work that night.

Mr. GRIFFIN. What were the hours that you were to work that particular night?

Mr. KNIGHT. Well, as every night, 7 to midnight.

Mr. GRIFFIN. Did you have any contact with Jack Ruby between 7 and midnight?

Mr. KNIGHT. No.

Mr. GRIFFIN. Did you have some occasion to have contact with him afterward?

Mr. KNIGHT. I talked to him after midnight; yes.

Mr. GRIFFIN. Tell us how you first had occasion to talk with him.

Mr. KNIGHT. Okay. May I do it my own—

Mr. GRIFFIN. Sure.

Mr. KNIGHT. All right. I got through my shift at midnight. We were trying to get an interview with District Attorney Wade for the following morning's newscast. By that time the newsmen had been up all day and it was 1 a.m. in the morning and they had gone home with the exception of Glenn Duncan who was covering the news from the post at the station and could not leave the radio station. So he told me to go to the courthouse and if I could get a hold of Wade—Wade had called and said he had granted his last interview of the evening—but he said if you get over there right fast you might get him. And the courthouse was only three blocks from our radio station.

Mr. GRIFFIN. Duncan told you a call had been made?

Mr. KNIGHT. Duncan I think had actually talked to Wade on the air about 20 minutes or so but didn't get what he wanted and didn't get it on tape for the early morning newscast. In other words, he wanted me to go over and get another interview with a special little tape recorder for the early morning newscast.

Mr. GRIFFIN. Before you went over there, did Duncan tell you anything about having talked to Jack Ruby?

Mr. KNIGHT. No, no. Ruby had called but this is later on in the story.

Mr. GRIFFIN. All right. Go ahead. Then tell us what happened.

Mr. KNIGHT. I went over to the courthouse, arriving there approximately 1 a.m. It could be 10 before, 10 after, 15 after. I didn't get to see Wade. I looked for him and I couldn't find him, went to the second floor, came back, down to the main floor. There on the main floor I encountered Jack Ruby.

Mr. GRIFFIN. Whereabouts was he on the main floor?

Mr. KNIGHT. He was near the entrance and I was getting ready to leave and he was hanging around the entrance talking to other people, and he saw me and recognized me. And I—

Mr. GRIFFIN. Let me interrupt you and ask you, by the main floor do you mean the floor on which the assembly room and records room are located, or do you mean the floor above that?

Mr. KNIGHT. No; I mean the main entrance, right near the entrance right off the street.

Mr. GRIFFIN. Oh. As you walk in off the street you can either walk up or down but you can't walk straight into the police department?

Mr. KNIGHT. Where you walk up the steps and walk in. And he was about 10 feet up, 10 feet back up the steps or so, talking to some people just generally milling around that I didn't know.

Mr. GRIFFIN. I see.

Mr. KNIGHT. I think, I am sure this is it. He overheard me ask where Wade was and then he said, "I'll show you." So I said, "Okay." Then we went down in the basement. Now, I had never met Henry Wade before. Of course, I had heard of him. We went to the basement. Jack Ruby pointed out Henry Wade. Wade at that time was standing by himself, had just got through with an interview with another reporter. Wade pointed out, or Ruby pointed out Wade, and he told Henry Wade who I was and Wade's reaction was, "Oh, the Weird Beard," which I am known on radio. "The Weird Beard, my kids listen to you," or something to that effect all the time. Ruby again spoke up before I had a chance to say anything and asked if he would grant an interview with me. Wade said, "Of course." Now, a point that I don't think I—on the phone they told me to make some notes, from Washington.

Mr. GRIFFIN. Yes.

Mr. KNIGHT. And I don't think I have told this point to the FBI or anybody before. I don't think. I'm not sure. Ruby was insistent that I ask Wade if Oswald were insane. And he asked that, he told me to ask him that question at least twice.

Mr. GRIFFIN. Where did he tell you this? When you were up on the main floor or—

Mr. KNIGHT. On the way down. On the way down because I told him I wanted an interview and so forth and this slipped out.

Mr. GRIFFIN. What was your response to Ruby?

Mr. KNIGHT. At the time?

Mr. GRIFFIN. Yes.

Mr. KNIGHT. Negative. I wondered what he was doing there but it wasn't, I couldn't question, I mean I didn't know because there were a lot of people milling around.

Mr. GRIFFIN. What I had in mind, when Ruby said to you "Ask him if Oswald is insane," did you have any response to Ruby?

Mr. KNIGHT. Oh, yes. "Okay," I said, "That's a point well taken," or something to that effect.

Mr. GRIFFIN. Did Ruby have any other things he wanted you to ask?

Mr. KNIGHT. No; that was the thing.

Mr. GRIFFIN. Up to the time that you saw Wade, had Ruby said anything to you about the assassination?

Mr. KNIGHT. Not at that time; no.

Mr. GRIFFIN. Had you had any discussion with him about anything other than the interview with Henry Wade up to that point?

Mr. KNIGHT. Nothing of significance; no.

Mr. GRIFFIN. Did he tell you that he had closed his clubs at that point, that you recall?

Mr. KNIGHT. No; he didn't mention his clubs at all.

Mr. GRIFFIN. When you first saw Ruby up on the main floor, do you recall who he was with?

Mr. KNIGHT. He was by himself.

Mr. GRIFFIN. Standing, actually standing alone some place?

Mr. KNIGHT. As I say, I had the impression he had been talking because there were other people around, but at the time I did see him, on the first visual contact, he was standing by himself.

Mr. GRIFFIN. Do you recall how he was dressed on that day?

Mr. KNIGHT. No. I—it's silly. It's either a brown suit or a blue coat and I couldn't remember.

Mr. GRIFFIN. All right. Go ahead then, pick it up from where you were.

Mr. KNIGHT. All right. I did interview Wade. I did ask him a question about insanity and he said—I have the tape some place but I don't know where it is. I looked for it, the interview itself, and I couldn't find it. But the

essence of the interview, he said that Oswald, he was a, he was not insane, something like it was premeditated or so forth and so on. That was the gist of the interview.

Mr. GRIFFIN. Did Ruby stand by while that interview took place?

Mr. KNIGHT. That I don't know, if he were in listening distance or not, because I wasn't paying any attention to Ruby while Wade and I had the interview. But when I got through with the interview he was over say 15, 20 feet. He must have been talking to other reporters and so forth in the vicinity.

Mr. GRIFFIN. How long did your interview with Wade last?

Mr. KNIGHT. Oh, about 30 seconds.

Mr. GRIFFIN. What did you do after you finished interviewing Wade?

Mr. KNIGHT. It took, the interview, either 30 seconds or a minute. I took the interview on the tape recorder, started out of the courthouse building. As I say, Ruby cornered me again, saying that he—and we walked up to the best of my knowledge, we walked up back to the main entrance. He said he had sandwiches and soft drinks for the personnel over at our station, KLIF, and offered me a ride back to the station. But since it was so close I did not ride back to the station with him. And I walked back to the station and evidently he went to his car from this point.

Mr. GRIFFIN. How far is the station?

Mr. KNIGHT. As I say, three or four blocks.

Mr. GRIFFIN. In what direction?

Mr. KNIGHT. As you go out of the courthouse, the station would be to the left.

Mr. GRIFFIN. That would be south?

Mr. KNIGHT. I don't know.

Mr. GRIFFIN. Across Commerce Street?

Mr. KNIGHT. It would be toward the Central Expressway.

Mr. GRIFFIN. Yes.

Mr. KNIGHT. Away from downtown.

Mr. GRIFFIN. What intersection would it be?

Mr. KNIGHT. Jackson at Central Expressway. Now, I guess Ruby's car was down this way or some place because he went over in a different direction.

Mr. GRIFFIN. When you point that way you can't tell.

Mr. KNIGHT. Let's see. I went left and he went right. Is that all right?

Mr. GRIFFIN. Yes. That would be—you walked off onto Commerce Street and you turned left towards Central Expressway, and your recollection is that Ruby turned right toward the center of town?

Mr. KNIGHT. Yes.

Mr. GRIFFIN. Okay.

Mr. KNIGHT. I got back to the station. I was there giving the interview to Duncan who listened to it, we decided to use it on the morning's newscast, when Ruby—I guess this must have been, by this time, a quarter till two, approximately—showed up again at the radio station.

Mr. GRIFFIN. How long did it take you to walk to the radio station?

Mr. KNIGHT. Four minutes.

Mr. GRIFFIN. And how much later did you next hear from Ruby?

Mr. KNIGHT. Oh, I guess 20 minutes, time elapsed, 15, 20 minutes. It wasn't too long but at least that long.

Mr. GRIFFIN. And where were you when you first heard from Ruby?

Mr. KNIGHT. I was again, to the best of my knowledge it was out in the hall from the newsroom. I was standing with Glenn Duncan.

Mr. GRIFFIN. Did anybody walk back with you to the radio station?

Mr. KNIGHT. No.

Mr. GRIFFIN. Did you receive a telephone call from Ruby?

Mr. KNIGHT. No; I didn't. But Ruby had called Duncan earlier asking if it would be all right if he did deliver sandwiches and soft drinks to the radio station.

Mr. GRIFFIN. I mean you say the next thing you heard from Ruby. Now, how did you hear from him? Did he proceed to walk right in?

Mr. KNIGHT. Well, the door was evidently open and it had been open because we had newsmen going in and out. We had, there was a guy from New York

City that phoned in his reports from the radio station, a station called WNEW.

Mr. GRIFFIN. Ike Pappas?

Mr. KNIGHT. Right.

Mr. GRIFFIN. Had you known Pappas before that?

Mr. KNIGHT. No; but Pappas met Ruby there at that same time period.

Mr. GRIFFIN. Ruby came up to the newsroom where you were talking with Duncan?

Mr. KNIGHT. Yes.

Mr. GRIFFIN. Did he have the sandwiches with him?

Mr. KNIGHT. Yes.

Mr. GRIFFIN. Do you recall whether he was carrying them in a box of some sort?

Mr. KNIGHT. No; it was in a sack. And the drinks, I thought it was unusual, he had celery juice or some kind of soft drinks with celery in it and it was an unusual drink.

Mr. GRIFFIN. Do you remember anything about the bottle that was unusual?

Mr. KNIGHT. The bottle? It wasn't the normal soda pop bottle. I mean I couldn't describe it.

Mr. GRIFFIN. Do you remember that it was a bottle that had a gold covering on it?

Mr. KNIGHT. Yes; that sounds to be it.

Mr. GRIFFIN. All right. And did you have some conversation with him while Duncan was present at that point?

Mr. KNIGHT. Yes.

Mr. GRIFFIN. What happened?

Mr. KNIGHT. We talked about generalities which I, if I remembered I would say it. But evidently at this time he had seen Oswald in person because he said Oswald was a goodlooking guy, said he looked like Paul Newman. These were his words. Paul Newman, the movie star. At the time I didn't question where he had seen Oswald. I am sure that same day at the police station because he had been hanging around and I think he was there when they brought him in, on the outside looking in.

Mr. GRIFFIN. When they brought him in where? The police station?

Mr. KNIGHT. This is a surmise on my part.

Mr. GRIFFIN. You don't have any evidence of this?

Mr. KNIGHT. No; no. But he said he did look like, and Ruby's face, there was no bitterness against the man. Of course, there was, but I mean he said it kind of, "Why, he looks like a movie star." That's about the only thing that I can remember other than just how sad the situation was.

Mr. GRIFFIN. Do you remember Ruby commenting on how sad the situation was?

Mr. KNIGHT. Yes.

Mr. GRIFFIN. How long did your conversation up there last while Ruby was present?

Mr. KNIGHT. Well, as I say, this was 1:45 approximately, it could have been 1:50. We had—or 1:45 I'll say. We had a newscast at 1:50. Actually on the hour at 2 o'clock. So I guess about 10 minutes before the newscast. And I went on the newscast. Not with the tape I did over at the courthouse with Mr. Wade, but I went on with my reactions to the interview with Wade.

Mr. GRIFFIN. Do you remember mentioning Ruby's name in that newscast?

Mr. KNIGHT. Yes; and I said, "Through a tip from a local nightclub owner I asked Mr. Wade the question of Oswald's insanity." And that's the way I had phrased it. I didn't mention his name on the newscast.

Mr. GRIFFIN. How long did you remain at the studio after the newscast?

Mr. KNIGHT. Okay. The newscast lasted 5 minutes, maybe a little longer, and we stayed around and talked for I guess 10, 15 minutes. And some time in this period this Pappas showed up at the station and asked if he could use our facilities and call New York City.

Mr. GRIFFIN. Was Ruby there when Pappas arrived?

Mr. KNIGHT. Yes.

Mr. GRIFFIN. Do you have any recollection whether Pappas arrived before your newscast or after your newscast?

Mr. KNIGHT. It was after the newscast. In fact, I think—again this is all so hazy—I started out when Pappas was coming up the stairs, and he asked if he could use the facilities, and where could he get a phone. Since he was a fellow newsman, I pointed out the phone where he could use it and walked out. Ruby, of course, was still around.

Mr. GRIFFIN. Did Pappas come back in and talk with you later?

Mr. KNIGHT. No; again, Pappas ate one of Ruby's sandwiches and drank one of his soft drinks.

Mr. GRIFFIN. Do you remember discussing Pappas' radio market, the advertising market in New York?

Mr. KNIGHT. I don't think I did. I maybe asked him how he was doing and how a certain personality, Pete Myers, was doing, that worked for NEW, New York City rather, and that. I don't think I discussed advertising.

Mr. GRIFFIN. Did you get any indication that Pappas recognized Ruby at that time or that Ruby recognized Pappas?

Mr. KNIGHT. No; as far as I know they were complete strangers.

Mr. GRIFFIN. Did they talk? Was Ruby present during your conversation with Pappas?

Mr. KNIGHT. Yes.

Mr. GRIFFIN. All right. Did Ruby give Pappas a card for his club at that point?

Mr. KNIGHT. Not at this point, but I think Pappas had a card but he had gotten it earlier.

Mr. GRIFFIN. What makes you say that you think that happened?

Mr. KNIGHT. Well, I don't remember Ruby giving him a card actually up there.

Mr. GRIFFIN. But you learned somewhere along the line that Pappas did have a card?

Mr. KNIGHT. Yes; I vaguely remember Pappas having the card.

Mr. GRIFFIN. I am really trying to again probe your recollection as to whether you actually have a recollection that the card was made known to you at that time, that Pappas had a card, or whether you subsequently learned that Pappas got a card and sort of inferred it was earlier?

Mr. KNIGHT. I think that Pappas mentioned that he had gotten the card earlier in the day. Maybe Ruby at the time offered him one but I don't, that's still hazy.

Mr. GRIFFIN. All right. Did Ruby at the time he was up there at the radio station do anything which to you would indicate that he was trying to promote his clubs at that time?

Mr. KNIGHT. No.

Mr. GRIFFIN. Was there any pushing in that area?

Mr. KNIGHT. No; a comment since you made that. I guess in my subconscious I didn't think of that because he had always pushed before, but this seemed to be a complete—no talk about his business at all. In fact I didn't even know, he didn't even tell me that he had closed the clubs. He might have but I don't remember.

Mr. GRIFFIN. Do you remember any conversation that he might have had concerning the Bernard Weissman ad which appeared in the Dallas Morning News on the 22d of November? Do you know what ad I am talking about?

Mr. KNIGHT. To impeach Earl Warren?

Mr. GRIFFIN. Not impeach Earl Warren. It was a black-bordered advertisement that addressed a series of questions to President Kennedy.

Mr. KNIGHT. No; he did mention this, but at the time I wasn't familiar with it myself and he didn't mention any names. In fact, the point I remember, in the back of my mind, but how he brought it up or the names I don't remember. Now, I have a question for you, or not a question but another thing along this line that happened. He happened to call me—Ruby—Saturday night.

Mr. GRIFFIN. Let me—I want to take this chronologically.

Mr. KNIGHT. That's what I mean.

Mr. GRIFFIN. I'm glad you mentioned it. Did he say anything to you Friday night or through Saturday morning which would indicate that he had some idea that there was an effort being made to discredit the Jews, that the assassination was somehow a part of an effort to discredit the Jews?

Mr. KNIGHT. No, no; no mention was made of that.

Mr. GRIFFIN. What makes you think that he did mention this unfortunate advertisement in the Dallas Morning News?

Mr. KNIGHT. I might be mixed up on the time, but it might have been that night or it might have been that brief 15-, 20-second call that I had with him on Saturday night.

Mr. GRIFFIN. How did—your group up there I take it broke up, your session broke up, and you and Jack or some of the other people decided to leave—how did that happen?

Mr. KNIGHT. Okay. Now, to me this is the most important part. Jack Ruby and I walked out of the station, actually not out but say out on the landing in front of the steps, still in the station but down the hall. I remember him saying like, "Russ, you are a pretty square guy. I want to give you something." So we, now again, either he had them in his pocket or he walked out to his car, but he had his car parked right at the steps of the station where it would be no problem to get this, a speech called Heroism from H. L. Hunt's Life Line. Now, may I read this to you?

Mr. GRIFFIN. Yes, you may.

Mr. KNIGHT. This time segment, I left about 2:15 to 2:30 after the newscast at 2. Ruby gave me a speech from Life Line called Heroism. To my knowledge he talked about radicals in Dallas at that time but he didn't mention any names. He said he looked like Paul Newman, good-looking guy. Gave me entire speech of Life Line. Here's something I didn't realize until just the last week or so. The speech he gave me of Life Line was the speech in its entirety, the speech, the body of the speech plus the commercials.

Mr. GRIFFIN. Why is that significant to you?

Mr. KNIGHT. Well, okay. I just realized the speech—the speech itself is what I told the FBI. I didn't tell them about the entire body of the content. I didn't realize that. I just thought it was all together. The question in my mind, if you would write, and I'm supposing this from being in the broadcasting business, if you would write to a commercial broadcast house for the contents of a speech, which you could do, I doubt very seriously they would send you the entire thing plus the commercials and two pages of Hunt products, which was all included. It was strictly like it, and again this is my observation, like it had been taken from a stations' files that had Life Line. And what he had was not sent out by Life Line if he wrote in to order the speech. Why would they send the commercials and et cetera?

Mr. GRIFFIN. All right. Did you bring that copy with you?

Mr. KNIGHT. Now, again, in our moving to Detroit, we have looked and looked and turned our house upside down. That was something I wanted to keep. But I can't find it.

Mr. GRIFFIN. We ask you if you do come across it some time, we would very much like to see it. And, of course, all we would want to do is make a copy of it ourselves.

Mr. KNIGHT. You could get a copy of it yourself from the Hunt organization.

Mr. GRIFFIN. Perhaps we can't get the commercials. I would like to see the item you described. Are you under the impression that this is not the thing that would be sent out by Life Line?

Mr. KNIGHT. Yes. I wouldn't see why they would send the commercials out. Maybe they do, but again I don't know. And another point that hit my mind along these lines, maybe, where would he obtain such a copy of this? Who would give it to him?

Mr. GRIFFIN. Well, are you familiar with the Dallas State Fair? Did you attend the Dallas State Fair?

Mr. KNIGHT. Yes.

Mr. GRIFFIN. Do you recall at the Dallas State Fair that H. L. Hunt had a booth?

Mr. KNIGHT. Yes.

Mr. GRIFFIN. Did you see any of the literature that was distributed at that booth?

Mr. KNIGHT. No, no. The copy that he gave me of this was rather soiled, but

I don't know if it was soiled with use or maybe somebody could have given it to him just lately.

Mr. GRIFFIN. Soiled in a manner that indicated that somebody had read it, or that it had just been neglected?

Mr. KNIGHT. No, that it had been folded up and read. It was a new piece of paper. It had been folded and unfolded and folded and unfolded and read.

Mr. GRIFFIN. What did Ruby say about Life Line?

Mr. KNIGHT. Again this is strange, and I don't know why he should pick me to give this to but he said, "You seem like a square guy, why don't you look this over and read it?"

Mr. GRIFFIN. Did he indicate any opinion as to his approval or disapproval as to the contents of that?

Mr. KNIGHT. No, no. At the time—it struck me as kind of odd when I look back on it—at the time I couldn't care less. But when I look back on it it did strike me as rather odd because he seemed to have no opinion, and I couldn't figure why he gave me the copy of the speech if he believed it. I thought, my first impression was that he thought this was the form of radicalism that was sort of mumbled and talked about a little bit.

Mr. GRIFFIN. What did he say about radicalism?

Mr. KNIGHT. This is a word I use. I don't think he even mentioned radical. But he did mention along with it a word which I can't recall in this Saturday night conversation. I don't think he used the word radical but I can't think what he used, but we did discuss that area.

Mr. GRIFFIN. Was he talking about people who were of the John Birch Society character, the right-wing radicals, or was he talking about the Lee Harvey Oswald type radicals?

Mr. KNIGHT. That I don't know.

Mr. GRIFFIN. Did he indicate approval or disapproval of radicals?

Mr. KNIGHT. Disapproval.

Mr. GRIFFIN. Did the conversation indicate in any way that he thought there might be any connection between what you are calling radicalism in Dallas and the assassination?

Mr. KNIGHT. No, he didn't.

Mr. GRIFFIN. Well, can you be a little more explicit on what you think, what you recall of this discussion about radicalism, what it consisted of?

Mr. KNIGHT. Ruby seemed, he had the speech but he didn't seem to be cognizant fully of what the speech was or actually what side that he stood on. Again he just mentioned, and I know this is rather ambiguous, I'm just kind of confused.

Mr. GRIFFIN. All right.

Mr. KNIGHT. But he did mention a group in Dallas that hated President Kennedy.

Mr. GRIFFIN. Did he mention this group by name?

Mr. KNIGHT. No; just mentioned like there is an element here that hates, that hated Mr. Kennedy.

Mr. GRIFFIN. All right; did he indicate that he had any specific people in mind?

Mr. KNIGHT. No; in fact I asked him. I saw the copy of Hunt and his Life Line called Heroism, and myself, I have always thought, I think Hunt is a definite radical. I think he's about halfway out of it in common terms. And I mentioned to him, I said, I think now again, I think I said, "Do you mean the Hunts?" And he didn't reply either yes or no, just kind of, because I don't know if he even knew the term, Hunt or not. I'm sure he did but he didn't seem to recollect it, the name, or any more about it when I brought it up. That was late at night and I was tired.

Mr. GRIFFIN. Did he mention any other names?

Mr. KNIGHT. No; Hunt was the name that came to my mind, Life Line, especially after he gave me the speech.

Mr. GRIFFIN. What radio station in Dallas has a Life Line broadcast?

Mr. KNIGHT. KLRD; I think, KLRD.

Mr. GRIFFIN. Do you know the people in the news department of KLRD?

Mr. KNIGHT. Not on a personal basis. I have talked with them maybe twice.

Mr. GRIFFIN. Can you recall some of the names of the people in that department?

Mr. KNIGHT. Frank Gleiber in sports. He doubles up in sports and news. There's a guy that was the head of the "After" Union down there. He was head of the news department. Ray somebody; I think.

Mr. GRIFFIN. Does anything in your experience suggest anything to you about why Ruby would have picked up such an advertisement in the first place?

Mr. KNIGHT. No; one more comment on my part. I mentioned to the FBI and too, I was actually subpoenaed for the trial by Belli, Ruby's lawyer, which I didn't understand, which to me, the speech "Heroism," the people I told about it just seemed to kind of, OK, but no point was, I mean I was not asked to recall anything or really talk about it. They seemed to not think it was a very important part. And I thought it was. It seemed to me very important. But I did mention it, mentioned as much as I recall, but they didn't seem to be interested in it and I thought they knew more about—

Mr. GRIFFIN. Did Ruby say anything to you which would indicate whether or not he had actually read the radio script?

Mr. KNIGHT. No; but he told me to read it, and evidently he had read it.

Mr. GRIFFIN. Did he say anything to you which would indicate what his feeling was about the substance of that radio script?

Mr. KNIGHT. No; there again is the hazy part. He seemed to be giving it to me for me to read it just to get my impressions of it.

Mr. GRIFFIN. Did you have any impression that he was looking for you to tell him whether he should agree or disagree with the content?

Mr. KNIGHT. That is a possibility.

Mr. GRIFFIN. What was said that might indicate that to you?

Mr. KNIGHT. Well, for the simple matter of him not being yes or no about it. He just like, here's the speech, read it. He didn't seem to have any, although at the time I assumed that—I feel like I'm talking in circles—I assume that he did or had read it and did not agree with this theory that was portrayed in the copy of "Heroism" but wanted to see what my reaction to it would be.

Mr. GRIFFIN. What made you think he didn't agree with it?

Mr. KNIGHT. See, I'm speculating; I don't know. That was my first reaction. And then we just broke up after that. I went my way and in fact I think I went back up to the station and he went out to his car.

Mr. GRIFFIN. Had Ike Pappas left at the time you walked out?

Mr. KNIGHT. No; I think Pappas was still there when I left. I'm sure he was.

Mr. GRIFFIN. All right; did anybody else come up to the station with Pappas?

Mr. KNIGHT. No.

Mr. GRIFFIN. Did you do anything else that night?

Mr. KNIGHT. No; I went straight home.

Mr. GRIFFIN. What did you do the next day?

Mr. KNIGHT. The next day? Well, let me see. I think I slept; I went home and took myself something to eat, it must have been 4:30 or 5 that morning, and went to bed and didn't get up until—I had received a call at 9 o'clock that morning from a news friend of mine from Kansas City, and I was up, maybe just about a minute; I went back to sleep and didn't wake up until 3 or 4 that afternoon.

Mr. GRIFFIN. Then what did you do?

Mr. KNIGHT. Turned on television; laid around the house. I have to go in at 6 on Saturday night, 6 to midnight.

Mr. GRIFFIN. Had Ruby called you by the time you went to the station?

Mr. KNIGHT. No; he didn't call me at the house. I guess he didn't even know my number. So I got to the station about 6. And, of course, we had, had gone, we were top 40 so to speak, play the hit records. We were playing albums. And I didn't have anything to do except cut in with the station breaks and news items that pertained to the situation. And I guess it was between 6 and 8 sometime, I didn't pinpoint it. Ruby called and wanted to talk to me. He called the newsroom and wanted to talk to me. So I talked to him and I got on the phone, right when I got on the phone a break was coming after the record, and I said, "I have to go, I can't talk."

Mr. GRIFFIN. Station break was coming?

Mr. KNIGHT. Yes.

Mr. GRIFFIN. Excuse me; I'm trying to pinpoint the time here before you get into it. Is it a quarter-hour station break or hour?

Mr. KNIGHT. No; half-hour, on the hour.

Mr. GRIFFIN. This would have been approximately on the half-hour or hour when he called you?

Mr. KNIGHT. Approximately; yes.

Mr. GRIFFIN. You had already been there some time?

Mr. KNIGHT. Yes.

Mr. GRIFFIN. So it would have had, it couldn't have been before the 6:30 station break?

Mr. KNIGHT. Probably between the 7 and 8:30. But now I couldn't, I have no way, I couldn't even make, I'm not even going to make a statement of that. I wouldn't even know because I forgot all about it right after I hung up.

Mr. GRIFFIN. You say probably because it seems to you a substantial amount of time had elapsed, or do you have some other particular reference?

Mr. KNIGHT. A 6-hour shift is a long shift to go on the air. It seems I'd been there listening to the music about an hour. It seems like I had just gotten into the shift. Not quite the halfway point. About a third into it when he called. I only remember two things. Once again, "Russ, you are a square guy." I don't know why he would say that. This is the way he talked. He seemed to be impressed by anybody who did something like in radio, movies, television, so forth and so on. He mentioned, he asked me one question. Again we only talked 20, 30 seconds because at the end of that 20, 30 seconds, I said, "Jack, I've got to go because" so forth and so on. I didn't particularly want to talk anyway. So he said, which seems to me now, and again this is just—I didn't recollect this until lately. I should have—he asked me who Earl Warren was, which seemed funny. You would think a man would know who Earl Warren was. But that was his question.

Mr. GRIFFIN. Did he say anything about having any photographs?

Mr. KNIGHT. No; not to me, although I did read in the paper later where it said that, but not to me personally. But I thought it was funny he asked me.

Mr. GRIFFIN. Was there any possibility that this telephone call could have been made to you at home rather than at the radio station?

Mr. KNIGHT. No; none whatsoever.

Mr. GRIFFIN. Did Jack call you on a private line of any sort, or did he have to go through a switchboard to get you?

Mr. KNIGHT. Well, no. Well, the switchboard would have been closed. We have two news lines which are supposed to be private but everybody knows them. Even kids call on them.

Mr. GRIFFIN. Was anybody at your home during—at that time?

Mr. KNIGHT. No.

Mr. GRIFFIN. Could Jack have known you were at the radio station by reading the newspaper? Was your program listed?

Mr. KNIGHT. Yes. Well, everybody by being there 3½ years—everybody knew what time segment I had. I was the kid diskjockey, so to speak. I had the top rating and so forth.

Mr. GRIFFIN. Do you think Jack knew enough about your program so he knew you had arrived at the station?

Mr. KNIGHT. Yes; he listened.

Mr. GRIFFIN. Had he called you on other radio programs?

Mr. KNIGHT. Yes; as I say, when he has his commercials on he would call from time to time.

Mr. GRIFFIN. Was KLIF running commercials for Jack during this week that the President arrived and so forth?

Mr. KNIGHT. No.

Mr. GRIFFIN. Had Jack advertised on the Saturday night shows?

Mr. KNIGHT. Yes; that was during that week 9 to 10 months prior.

Mr. GRIFFIN. Do you have any personal information that Jack listened to KLIF much more often than he listened to any other radio station?

Mr. KNIGHT. So he said; and by talking to him from time to time like at the Cotton Bowling Palace, he seemed to be a great admirer of our owner again, who put the editorials out, Gordon McLendon.

Mr. GRIFFIN. Were these political editorials?

Mr. KNIGHT. Sometimes; not all the time.

Mr. GRIFFIN. Was McLendon a person that Ruby would have put in the radical group?

Mr. KNIGHT. No; he greatly admired McLendon.

Mr. GRIFFIN. What was the basis of his admiration if you have any information?

Mr. KNIGHT. I would imagine because of his outspoken editorials that he did and the guy stood for a lot of good things.

Mr. GRIFFIN. Was McLendon substantially more outspoken than other radio-station owners?

Mr. KNIGHT. Well, he was the only one in Dallas radio that did any editorializing; yes.

Mr. GRIFFIN. What did Jack say to you that would indicate that he admired McLendon?

Mr. KNIGHT. Well, again I guess—see, Ruby had evidently listened to McLendon for years before I ever came in there, but just an overall, an overall thing. Just admired the way the guy took stands on things and the way he talked about them.

Mr. GRIFFIN. Did he actually mention these things?

Mr. KNIGHT. No; he didn't have to. It was known. He didn't, if you are getting to a point, he didn't mention any specific editorial that Gordon did that he admired. He seemed to admire the man as a whole.

Mr. GRIFFIN. Could his admiration for McLendon be in part affected by personal consideration that McLendon might have given Jack in plugging his Carousel Club, something like that?

Mr. KNIGHT. I don't think so because I think he paid for that because they were commercial spots.

Mr. GRIFFIN. What sort of things did McLendon speak out against?

Mr. KNIGHT. Take for instance after the assassination, he came to the defense of the Dallas Police Department.

Mr. GRIFFIN. Well, how about before the assassination?

Mr. KNIGHT. Before? Of course, you know he ran for senator.

Mr. GRIFFIN. Yes.

Mr. KNIGHT. And he thought there was waste in Government so to speak, but he never, never said anything against the Kennedy administration in his editorials. He always seemed to be a supporter of them. In fact he ran on the Democratic ticket himself.

Mr. GRIFFIN. Were there any civic projects that he came out strongly in favor of?

Mr. KNIGHT. Yes. There was a point they were going to tear down Love Field. It was trying to be decided to have one solid airport between Fort Worth and Dallas, or keep Love Field, which is in Dallas. He came out strongly, instead of having an airport between, he said Dallas needed her airport. That was one thing. There was feeling on that.

Mr. GRIFFIN. On the weekend of the 22d, and 23d, and 24th, were any special efforts made by the KLIF news staff to cover the events that were taking place in the police department?

Mr. KNIGHT. Oh, yes. We had a reporter on standby over there all the time.

Mr. GRIFFIN. Now, where were you on Sunday morning when Oswald was shot?

Mr. KNIGHT. Okay. I went home after my shift to midnight Saturday night and went to bed because I was supposed to drive down and pick up my wife Sunday morning in Corpus Christi. I debated what to do. I called her. She said, "Come ahead." She wanted to come home. I was driving to Corpus Christi, I guess on the outskirts of Waco, which is about 99 miles from Dallas. I was listening to the radio and I heard what Ruby did to Oswald.

Mr. GRIFFIN. Now, after you saw Ike Pappas on Friday night, did you ever see him again up until the time that Oswald was shot?

Mr. KNIGHT. During that time period; no. I saw him later at the trial of Ruby. I didn't see him again.

Mr. GRIFFIN. Was there a man from KLIF down in the basement at the time Ruby shot Oswald?

Mr. KNIGHT. Yes.

Mr. GRIFFIN. Do you know who he was?

Mr. KNIGHT. Gary DeLaune. In fact he had a tape of it that KLIF still has.

Mr. GRIFFIN. Was a man by the name of Ken Dowe a member of the KLIF staff?

Mr. KNIGHT. Yes. He was the afternoon diskjockey. Ruby I think had called him Saturday afternoon a couple of times; yes. By the way, this just hit me. Ruby wanted McLendon to do an editorial about this whole thing.

Mr. GRIFFIN. About the assassination?

Mr. KNIGHT. Yes.

Mr. GRIFFIN. When. Did he mention this to you?

Mr. KNIGHT. Yes.

Mr. GRIFFIN. When was that?

Mr. KNIGHT. Saturday night when we were all talking together.

Mr. GRIFFIN. You mean early Saturday morning?

Mr. KNIGHT. Saturday morning.

Mr. GRIFFIN. Did he make this statement upstairs in the newsroom or when you were down on the landing talking to him?

Mr. KNIGHT. I think it was when we were out in the hall walking down to the landing. But he wanted Gordon McLendon to do an editorial, again I don't remember the exact words used, but I think against the elements in Dallas that would bring something about; yes.

Mr. GRIFFIN. Of course, what you are suggesting from the things you said here is that Ruby or at least the inference one can draw is that Ruby had the idea that radical elements in Dallas were somehow responsible. I take it by this we are talking about the rightwing radicals. Or were there leftwing radicals in Dallas also?

Mr. KNIGHT. Well, I'm not too familiar with the terms.

Mr. GRIFFIN. Well, the H. L. Hunt?

Mr. KNIGHT. Would be the rightwing.

Mr. GRIFFIN. Are these the people that Ruby had in mind?

Mr. KNIGHT. I would say so. Now, again, I——

Mr. GRIFFIN. I mean you got the impression when he was talking about the people in Dallas that had brought this about or that he had people in mind who were of H. L. Hunt's political persuasion?

Mr. KNIGHT. Yes.

Mr. GRIFFIN. Now, that we have been talking about it——

Mr. KNIGHT. The same people for instance that spat on Stevenson and hit him with a sign, the same element.

Mr. GRIFFIN. Did Ruby mention that?

Mr. KNIGHT. I wouldn't make a good detective, but it's in my—the back of my brain that he might have and he might not have.

Mr. GRIFFIN. Remember, it's a long time. And I don't want to put you in a position of saying something that is not accurate. I would much rather have you say that you don't remember.

Mr. KNIGHT. But I mean looking back on it, it's hard to figure what he actually told you and what you read about him after it happened because, naturally, you would read all these things and it's hard to piece out when at the time who would guess that he would do something like this.

Mr. GRIFFIN. Well——

Mr. KNIGHT. May I make a statement?

Mr. GRIFFIN. Sure.

Mr. KNIGHT. It's—again it's speculation.

Mr. GRIFFIN. All right.

Mr. KNIGHT. But my wife and I both were talking about this, about Ruby's conduct, like he didn't really come out and say this or this just seemed to be sort of mixed up about the situation and the speech "Heroism" had been soiled and evidently had been used, and it wasn't the average commercial content and

so forth and so on that you would get through the mail by sending off. There's a possibility somebody could have given him that speech, planting the seeds of heroism in his mind, knowing that he was of an excitable nature and a very impressionable type person and did like to be on the side of right people, the people in the front, show people, et cetera.

Mr. GRIFFIN. Do you have any idea who such a person might be?

Mr. KNIGHT. No; but it seemed to me like too much of a coincidence that he should be carrying a speech called "Heroism" and then for him to shoot Oswald on Sunday morning, and for this point, maybe it is a coincidence, but it's been overlooked.

Mr. GRIFFIN. Can you think of any other places he could have got this heroism ad except from Station KRLD or a person affiliated with it, the H. L. Hunt booth down at Dallas State Fair perhaps, or from writing in to wherever it is centrally produced? Those would be the three places?

Mr. KNIGHT. I can't, but again, with his seemingly handing this speech to me and wanting, maybe wanting a reaction from me, saying "Russ, you are a square guy," like maybe you know more about these things than I do, "Who is Earl Warren," denotes a confused attitude in his mind about the whole situation. If somebody did know him—of course, that's a pretty farfetched idea.

Mr. GRIFFIN. Well, now, did you know George Senator?

Mr. KNIGHT. I met George at the Cotton Bowling Palace I think about twice and I didn't even recall his name until I read it in the paper, or heard it over the radio, rather.

Mr. GRIFFIN. Did you know Ralph Paul?

Mr. KNIGHT. The name is familiar; yes. I don't know if I would know him if I'd see him or not. I think I would but I'm not sure.

Mr. GRIFFIN. Did you know a police officer by the name of Harry Olsen?

Mr. KNIGHT. Again I might but I don't recall the name.

Mr. GRIFFIN. Did you know any of Jack's strippers?

Mr. KNIGHT. Let's see. I met one called Jada up there.

Mr. GRIFFIN. Did you see Jada's act?

Mr. KNIGHT. Yes.

Mr. GRIFFIN. Did Jack have any comments on her act?

Mr. KNIGHT. Oh, he thought she was great. He said, if I remember, on this situation, he said, "She's very good but she's tough to handle."

Mr. GRIFFIN. Did you know an entertainer named Breck Wall?

Mr. KNIGHT. Not personally. I had read about him in the Dallas paper.

Mr. GRIFFIN. I take it that you did not see any of these people or hear about any of these people that I have just mentioned on the 22d or 23d or 24th?

Mr. KNIGHT. No.

Mr. GRIFFIN. Do you have any information at all as to how Ruby got into that basement when he shot Oswald?

Mr. KNIGHT. None whatsoever; I just know that they weren't checking very closely.

Mr. GRIFFIN. How do you know that?

Mr. KNIGHT. Because I walked in there Friday night myself.

Mr. GRIFFIN. Did anybody attempt to check you?

Mr. KNIGHT. No. Let me see. This was right before I went on my air shift at 7. I walked in with some sandwiches for our reporter over there, Gary De Laune. I walked around the scene and so forth. I couldn't find him. So I just took the sandwiches back to the station.

Mr. GRIFFIN. Where did you go just before 7 o'clock? Where did you walk? Did you walk up on the third floor?

Mr. KNIGHT. Yes.

Mr. GRIFFIN. Did you walk on any other floors?

Mr. KNIGHT. No. I think the third floor—is that where Oswald was being held now?

Mr. GRIFFIN. Yes.

Mr. KNIGHT. Okay. I went up to there and stood around with the battery of camera and press photographers waiting, trying to find our reporter. Then I went down in the basement, couldn't find him, then I left.

Mr. GRIFFIN. How long before 7 o'clock was that?

Mr. KNIGHT. I was supposed to go on at 7. I guess I was about maybe 20 minutes late. About 5 minutes till 7.

Mr. GRIFFIN. You were up at the police department till 5 minutes of 7?

Mr. KNIGHT. Yes. We had continuous news coverage. I actually didn't go on my own camera.

Mr. GRIFFIN. If Jack Ruby had been up in the hallway at that time, would you have seen him as a result of your walking around?

Mr. KNIGHT. I'm sure I would have.

Mr. GRIFFIN. Do you think you would have remembered it now?

Mr. KNIGHT. Yes, but I did not see him.

Mr. GRIFFIN. Do you know a fellow by the name of Jenkins from KBOX?

Mr. KNIGHT. Yes, not personally but I have met him.

Mr. GRIFFIN. Would you recognize him?

Mr. KNIGHT. Yes and no. I met so many. I think he was a short fellow but I'm not quite sure.

Mr. GRIFFIN. Do you have any information that Ruby received any assistance from anybody in connection with the shooting of Oswald?

Mr. KNIGHT. No, no. I have another little item here you might be interested in. His sister, Eva Grant.

Mr. GRIFFIN. Yes. Tell us about that.

Mr. KNIGHT. She wouldn't make a statement through the press until, she wanted to contact me, or Joe Long or Gordon McLendon or somebody with KLIF. So she did get a hold of me through the station and they gave me or gave her, and I don't know, this was a bonehead play on our receptionist's part, the receptionist gave her my home number, and since I didn't get back in town, naturally after the killing, until Monday night, I didn't get it until I went in to work at 7 o'clock Monday night. And I had a little message on the phone, "Eva Grant is trying to get hold of you, would you please call this number" and so forth. So evidently our receptionist at the station didn't know who Eva Grant was. And I had met Eva Grant with Jack. I think she was out at the Cotton Bowling Palace a couple of times. And I had been in the place that she had. She had another nightclub. It was just a dance place, male and female clientele. I had been in there with two other diskjockeys one night we met her originally. I can't think of the name of it.

But anyway, she wanted to make a statement so I called this number on the spindle that she had given me. Somebody answered and said "She's not here" and hung up. So I tried it again and the same thing. The voice seemed very distraught. "She's not here" and hung up.

So I did my shift that night and the next morning I tried again because I thought this might be a very important news item. I called my boss, Gordon McLendon, about it. But I did get through to her and talked to her. And she wanted me to come over or somebody to come over. Actually didn't want us to come over because she didn't realize what she was talking about at that time or how she wanted to do it. But she wanted to make a press release over KLIF because reporters from all over the world had tried to get in touch with her and she didn't want to talk to any of them. At this point I said we would send somebody over. I remember her saying that Jack didn't know what he was doing. She believed it because it was a sincere thing. She was out of her mind, hysterical. She said the same thing on our interview tape that we have in our file, "Jack didn't know what he was doing." And she also said, "Please come down, the Dallas police are coming." So, "And bring Joe Long." And he took Gary DeLaune over and they both went over and got the interview through Eva Grant.

Mr. GRIFFIN. I want to hand you what I have marked as Russell Knight deposition July 24, 1964, Exhibit No. 1—this purports to be a copy of an interview report prepared by two FBI agents, Alfred D. Neeley and J. Calvin Rice. The interview took place with you on November 29, 1963. I would like you to look it over, read it carefully, and then tell me whether or not there are any corrections that you would make in that, any inaccuracies in there. Let me clarify this for you. What I am really directing your attention to is whether that is an accurate report of what you told them at that time, not if as a result of further reflection you think there are things wrong in it.

Mr. KNIGHT. Yes; I saw it.

Mr. GRIFFIN. Let me try to clear up then by one or two questions what appears to be a discrepancy between what the FBI have reported and what we have been talking about here today. The FBI says in here that you stated that Glenn Duncan told you "he received a telephone call from Jack Ruby who asked him if he was interested in an interview with District Attorney Henry Wade and indicated that he was calling from the police department * * * Moore stated he immediately departed for the police department in an effort to contact Henry Wade."

I believe when we were talking earlier it was your recollection you went over independently. Do you recall I asked you?

Mr. KNIGHT. No. I meant to say Duncan had told me to go over. This is right.

Mr. GRIFFIN. Did Duncan tell you that he received a call from Jack Ruby?

Mr. KNIGHT. Yes; and I mentioned it in our interview, but I mentioned it with the sandwiches that he received a call asking to bring sandwiches up to the station, but he did mention "How would you like to have an interview with Henry Wade."

Mr. GRIFFIN. Duncan said that to you?

Mr. KNIGHT. Yes.

Mr. GRIFFIN. At that point do you know that Ruby had made a telephone call to set this thing up?

Mr. KNIGHT. Let's get the time straight. Duncan didn't mention before I left for the courthouse. He mentioned the fact that a guy by the name of Jack Ruby called about an interview. And I don't think Duncan ever met Ruby before. And he said, "Go over there and get the interview at the courthouse."

Mr. GRIFFIN. Well, then, when you went to the courthouse you were actually looking for Ruby, weren't you?

Mr. KNIGHT. No, no. Why would I be? No. Wade.

Mr. GRIFFIN. But Ruby was going to set the interview up?

Mr. KNIGHT. No, no.

Mr. GRIFFIN. What was your understanding?

Mr. KNIGHT. Here's your confusing point. Ruby had called Duncan about the telephone interview that I told you that Wade had given Duncan earlier, in which, well, it was all right, but it wasn't what they really wanted. That was with the telephone interview and I didn't know Ruby would even be at the police station when I was going over there.

Mr. GRIFFIN. Is it your understanding that you went over to the police station after Duncan had tape-recorded the telephone interview?

Mr. KNIGHT. Yes. Well, that's a fact.

Mr. GRIFFIN. Is this something that you have a clear recollection of, that Duncan said he had already tried to record the telephone interview?

Mr. KNIGHT. It had to be because I was—I didn't get back to the station till about 1:45. He had already had, he might have got it in the meantime but he already had the other on tape.

Mr. GRIFFIN. Is there, possibly there was a sequence something like that, that Ruby called Duncan and said "How would you like an interview with Henry Wade," that Duncan told you "Go over there and get an interview with Henry Wade," in the meantime Ruby himself got Wade to the phone and while you were in transit to the police station Duncan recorded the interview?

Mr. KNIGHT. That could have been.

Mr. GRIFFIN. Are there any facts that you can think of which would indicate one way or another that that happened or did not happen?

Mr. KNIGHT. No; all I know is that Duncan had the interview with Wade but he wanted me to get another one.

Mr. GRIFFIN. It was your understanding when you left, or was it your understanding when you left the radio station that Duncan had already tape-recorded an interview of Wade?

Mr. KNIGHT. No; he told me to get an interview with Wade and it wasn't until I got back that he said he had tried earlier and got an interview but it wasn't satisfactory. Now, another point about Ruby pointing out Henry Wade to me, I

had never seen Henry Wade before because I usually didn't do news. I was on the personality and record playing. Wade said that he didn't know Ruby but I guess Ruby could have seen him other places. But he did point him out. He said, "This is Henry Wade. This is the Weird Beard." But he seemed to know Wade.

Mr. GRIFFIN. In your interview here, Agents Neeley and Rice report that after you interviewed Wade "when he got through Ruby was gone." You testified here today, you recall, that you actually walked out with Ruby, that you saw Ruby a few feet away. Now, which would be the most accurate?

Mr. KNIGHT. As I say, this is what probably happened on that. When I got through with the interview he wasn't around but when I started to walk out I encountered him again so this would be more accurate.

Mr. GRIFFIN. Now, you also mentioned in your interview report or the FBI mentions that you recalled Ruby was grieving for the Kennedy family. Do you have any recollection that he mentioned the Kennedy family in any way?

Mr. KNIGHT. Yes. I'm almost sure that he said "That poor family."

Mr. GRIFFIN. Do you recall where that would have taken place?

Mr. KNIGHT. That would have been around the radio station.

Mr. GRIFFIN. Would it have been downstairs or upstairs?

Mr. KNIGHT. No; that would have been with everybody around there.

Mr. GRIFFIN. I haven't any more questions and I will just throw in one general one. Is there anything else that you can think of we haven't covered that you think we ought to know?

Mr. KNIGHT. No. I'm trying to go back in my mind, too, and think of the insanity thing. I don't think I mentioned before, that is, Oswald's sanity, and the Heroism thing. And I can't think of anything that would be significant except my own again speculation about the whole thing which I am sure you don't want to hear.

Mr. GRIFFIN. I think we have probably speculated on everything that could be based on facts here. You have speculated some and it's been helpful. Of course, we are interested in speculations only to the extent that they might suggest some facts.

Mr. KNIGHT. One big speculation that I told you, who could have given Ruby the speech of Heroism. That's it. How could he, where did he obtain a copy. And again, well, go ahead.

Mr. GRIFFIN. I don't know if it's reassuring to you, but we speculated about this, too, and we made an effort to find out.

Mr. KNIGHT. In the trial that Ruby just sort of said, "This is it, we have had it," it was just a very fast job and ended the trial like they just wanted to get him in there and convict him.

Mr. GRIFFIN. You mean the defense was conducted that way or that the prosecution—

Mr. KNIGHT. No; the prosecution—don't use the word railroad. Strike that out.

Mr. GRIFFIN. Yes.

Mr. KNIGHT. But it seemed like they just put the poor guy in there and nobody would listen to anything. They just wanted to get him convicted for it and maybe ease the conscience or something like that. It really wasn't an example of American justice. That's not fact. That's my speculation.

Mr. GRIFFIN. We thank you for coming here all the way from Detroit and we appreciate people who cooperate as fully as you have here and realize it's a sacrifice for you to do this. I don't know whether my secretary indicated over the phone but the Commission, of course, pays mileage and out-of-pocket expenses. And the way we have been handling this with people who haven't come to Washington is that we have asked them to send to us in Washington a list of expenses they have had in connection with this, and we will see that the proper people in Washington check it out.

Mr. KNIGHT. Should I send like the gas receipts and hotel bills?

Mr. GRIFFIN. They won't pay you the gas receipts. They will pay you mileage, so many cents a mile, and will pay your out-of-pocket hotel expenses.

Mr. KNIGHT. Will they pay for my wife?

Mr. GRIFFIN. I don't think so.

TESTIMONY OF EDWARD C. DIETRICH

The testimony of Edward C. Dietrich was taken at 7:45 p.m., on July 13, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Leon D. Hubert, Jr., assistant counsel of the President's Commission. Sam Kelley, assistant attorney general of Texas, was present.

Mr. HUBERT. This is the deposition of Mr. Edward C. Dietrich. Mr. Dietrich, my name is Leon Hubert. I am a member of the advisory staff of the general counsel of the President's Commission.

Under the provisions of Executive Order 11130 dated November 29, 1963, and the joint resolution of Congress, No. 137, and the rules of procedure adopted by the President's Commission in conformance with that Executive order and the joint resolution, I have been authorized to take a sworn deposition from you, among others.

I state to you now that the general nature of the Commission's inquiry is to ascertain, evaluate, and report upon the facts relevant to the assassination of President Kennedy and the subsequent violent death of Lee Harvey Oswald.

In particular as to you, Mr. Dietrich, the nature of the inquiry today is to determine what facts you know about the death of Oswald and any other pertinent facts you may know about the general inquiry.

I understand, Mr. Dietrich, that you are appearing here tonight by virtue of a request made of you by letter by Mr. J. Lee Rankin, general counsel on the staff of the President's Commission, which you have stated to me that you received on July 9, 1964, is that right?

Mr. DIETRICH. On or about that date; yes, sir.

Mr. HUBERT. All right, will you stand and raise your hand, please?

Do you solemnly swear that the testimony you are about to give us in this matter will be the truth, the whole, and nothing but the truth, so help you God?

Mr. DIETRICH. I do, sir.

Mr. HUBERT. State your full name for the record, please.

Mr. DIETRICH. Edward C. Dietrich.

Mr. HUBERT. Where do you reside?

Mr. DIETRICH. 668 Harter Road, Dallas, Tex.

Mr. HUBERT. What is your employment?

Mr. DIETRICH. I am a guard with the Armored Motor Service.

Mr. HUBERT. How long have you been employed by them, sir?

Mr. DIETRICH. About 8 years, sir.

Mr. HUBERT. What is your position as a guard?

Mr. DIETRICH. We are referred to as an armored motor operator. Guard or driver. I don't think we have any official title.

Mr. HUBERT. You work under Mr. Bert Hall?

Mr. DIETRICH. Marvin Bert Hall; yes, sir. Bert being——

Mr. HUBERT. A nickname?

Mr. DIETRICH. Nickname; yes, sir.

Mr. HUBERT. Were you on duty on Sunday, November 24?

Mr. DIETRICH. I was off duty up until about 10 o'clock when my mother received a call from Mr. Harold Fleming, who is one of our executives. He works out of the Fort Worth office, which is our main headquarters.

He called my mother asking if I were there, and she told him I had stepped out of the house for a few minutes.

I was dressed at the time, because we were going to dinner about 11:30.

Upon returning to my home about 10:30, my mother informed me of the telephone call. And since Mr. Fleming had left his number, I called him, and he advised me that he had something for me to do, that if I could, he would appreciate it if I would meet he and Mr. Hall at the Armored Motor Service terminal as soon as possible.

Mr. HUBERT. That is 1800 Leonard Avenue?

Mr. DIETRICH. Leonard Street.

Mr. HUBERT. Leonard Street?

Mr. DIETRICH. Yes, sir. He asked me about how long it would take me to arrive at that destination. I told him I would be there in about 15 minutes.

He said, "Well, if it takes 30 minutes, it is all right."

I was in civilian clothes at the time. However, I carried my weapon with me. On arriving at the terminal, I saw Mr. Hall and Mr. Goin, and a few minutes upon arrival Mr. Fleming arrived on the scene.

Mr. HUBERT. Did you change into your uniform?

Mr. DIETRICH. No, sir. I had arrived in civilian clothes, and I had no other attire to put on since my uniform was at home.

Mr. HUBERT. Did Mr. Goin change or anyone else change into uniform?

Mr. DIETRICH. If I remember correctly, Mr. Goin was in uniform when I saw him. Mr. Hall, of course, was not, because he never wears a uniform, nor does Mr. Fleming.

Mr. HUBERT. Now you stated that you received this call from Mr.——

Mr. DIETRICH. Harold Fleming.

Mr. HUBERT. Did you also receive a call from Mr. Hall?

Mr. DIETRICH. I can't recall right offhand whether I did or not. Actually, I didn't receive any call myself. My mother, if I remember correctly, received—she might have received a call from Mr. Hall, as well as Mr. Fleming. I am not quite sure.

Mr. HUBERT. But in any case, you called Mr. Fleming at his home?

Mr. DIETRICH. Yes, sir.

Mr. HUBERT. You fixed that at 10:30. Are you sure that is correct?

Mr. DIETRICH. Sir?

Mr. HUBERT. You fixed the time of your calling Mr. Fleming at 10:30. I asked you to reexamine that and see if that is correct?

Mr. DIETRICH. Well, if I remember correctly, my mother received a call from Mr. Fleming on or about 9:45. As to my calling him at 10:30, I can't truthfully say whether it was 10:30 or not. It was on or about that time.

Mr. HUBERT. What time had you left your home?

Mr. DIETRICH. I left home to visit the drugstore, to have a cup of coffee, I would say about 9:30.

Mr. HUBERT. How far is the drugstore from your home?

Mr. DIETRICH. Oh, about 2 miles.

Mr. HUBERT. Did you go by automobile?

Mr. DIETRICH. Yes.

Mr. HUBERT. You had a cup of coffee?

Mr. DIETRICH. Yes.

Mr. HUBERT. How long did you stay in the drugstore?

Mr. DIETRICH. Oh, I imagine I stayed there about 10 minutes; not too long.

Mr. HUBERT. What is the name of the drugstore, and where is it located?

Mr. DIETRICH. Let's see; well, I go to various drugstores on Sunday. I go to Skillern's sometimes, and Dobbs House.

Mr. HUBERT. Do you have any recollection of which one you went to on this particular Sunday?

Mr. DIETRICH. No, I just can't remember, because I don't go to the same one each Sunday. I really don't.

Mr. HUBERT. When you left there, you came right back home?

Mr. DIETRICH. Yes.

Mr. HUBERT. How far, in point of driving time, was that drugstore?

Mr. DIETRICH. I would say about 5 minutes.

Mr. HUBERT. You mentioned the drugstore as being 2 miles away and taking 5 minutes. Does that help you in any way in fixing what drugstore it was?

Mr. DIETRICH. Well, there are four different drugstores I visit off and on from Sunday to Sunday, and they are all approximately 2 miles, I would say.

Mr. HUBERT. So that either the distance, the way you mentioned on the time it takes to get there would not have——

Mr. DIETRICH. Would not have an effect on the time. I would say 5 minutes.

Mr. HUBERT. I think you were gone from your home about an hour?

Mr. DIETRICH. Sir?

Mr. HUBERT. Were you gone from your home about an hour?

Mr. DIETRICH. No; I wasn't gone. If I remember correctly, I left at 9:30.

It took me 5 minutes to get to the drugstore. I spent, I guess, about 10 minutes in the drugstore. That is 15 minutes.

And 5 minutes back, was 20 minutes. I told you I arrived back at a quarter to 10, on or about a quarter to 10. It might have been 10 minutes till 10.

Mr. HUBERT. It was at that time that you received the message from your mother that Mr. Fleming had called and wanted you to call him?

Mr. DIETRICH. Yes, sir.

Mr. HUBERT. My recollection was, and correct me if I am wrong, that earlier you said you called Mr. Fleming at about 10:30. Now it appears you say that it might have been considerably earlier?

Mr. DIETRICH. I was thinking I had arrived at the terminal at 10:30. I think I called Mr. Fleming—well, I may have said that, but I really believe that I arrived at the terminal about 10:30. I called him on or about a quarter to 10.

Mr. HUBERT. Called at a quarter to 10?

Mr. DIETRICH. Yes. To tell you the truth, I don't recall when I called him.

Mr. HUBERT. Did you leave right after you called?

Mr. DIETRICH. After I talked to Mr. Fleming?

Mr. HUBERT. Yes.

Mr. DIETRICH. I left, I imagine, in about 5 or 10 minutes. Let's see, it was about—oh, I brushed my hair and I had to get my revolver, or I cleaned it, just wiped it off.

I didn't want to get my clothes dirty, because it was a little on the greasy side.

I guess I left about 10 minutes after he called, or after I talked with him, rather.

Mr. HUBERT. How long did it take you to go from your home to the terminal?

Mr. DIETRICH. Oh, I would say about 20 minutes.

Mr. HUBERT. What route did you follow?

Mr. DIETRICH. Well, I left my home on Harter Road, entered North Cliff, took a right on North Cliff on Buckner, Buckner to Loop 12, Loop 12 to Central Expressway, and then I made an exit to Ross, took a right on Ross to the terminal, which is about six blocks from Ross and Central Expressway.

Mr. HUBERT. You think you left your home about 10 or 15 minutes after?

Mr. DIETRICH. After I talked to Mr. Fleming.

Mr. HUBERT. So you would have left your home about 5 minutes after 10, or 10?

Mr. DIETRICH. Yes.

Mr. HUBERT. So you arrived at the terminal at 10:20 or 10:25?

Mr. DIETRICH. Along about 10:30.

Mr. HUBERT. What happened to you when you got to the terminal?

Mr. DIETRICH. On arriving at the terminal, the first two people I met were Don Goin and Bert Hall. I referred to him as Bert Hall. His name is Marvin.

Mr. HUBERT. They were both there?

Mr. DIETRICH. They were in the parking area of the terminal.

Mr. HUBERT. How long after your arrival did Mr. Fleming arrive?

Mr. DIETRICH. Mr. Fleming arrived approximately 5 minutes after I did.

Mr. HUBERT. What did you do? What did the four of you do?

Mr. DIETRICH. Well, at the time, the company officials weren't too sure as to what their plan was, as to what they were supposed to do.

I think Mr. Fleming used the outside phone. There is a phone on the outside of the building which remains locked. We had a key to it. He opened it and called, I think, Captain Batchelor, or someone by that name, and I walked away. I didn't overhear the conversation.

Mr. HUBERT. Who opened the door to the company building, to the terminal? Did you have a key yourself?

Mr. DIETRICH. I sure did. That is why I was called down there. Yes, I had the keys.

Mr. HUBERT. Not the keys to the truck, but the keys—

Mr. DIETRICH. No, the key to the terminal. Of course, I didn't enter the terminal until Mr. Fleming had talked with this captain. I think his name is Batchelor, or something like that.

Mr. HUBERT. He is with the police department?

Mr. DIETRICH. We think he is assistant to chief of police.

Mr. HUBERT. What happened after that?

Mr. DIETRICH. After Mr. Fleming talked to him?

Mr. HUBERT. Yes.

Mr. DIETRICH. Well, he received instructions from him. There was a question as to which truck was going to be used, and they decided they wanted to use the larger truck, which is No. 46. It is, I guess, one of the largest armored cars in the world.

And he also found out from the captain as to when they were supposed to arrive. And then there was a question —

Mr. HUBERT. Did you get any information as to when he was supposed to arrive?

Mr. DIETRICH. No; I didn't, because I didn't want Mr. Fleming to think I was eavesdropping.

Mr. HUBERT. I mean; did he tell you what time?

Mr. DIETRICH. No; he didn't. I think he talked with Mr. Hall as to what time.

Mr. HUBERT. Did you hear?

Mr. DIETRICH. No; I didn't hear that.

Mr. HUBERT. All right; go on.

Mr. DIETRICH. Well, after he talked with this captain at the police department, there was a question of whether we should take shotguns and as to how many shotguns we were to take, and so forth, and so on. And Mr. Fleming and Mr. Hall decided not to take shotguns, that revolvers would be enough. Mr. Fleming's contention was that actually we were only going to transport Oswald from the city jail to the county jail, and that it was up to the police to provide the necessary protection. All we were going to do was to provide the transportation.

Mr. HUBERT. So you had your sidearm, but you did not put the shotgun on the shoulder as usual?

Mr. DIETRICH. That's right; yes, sir.

Mr. HUBERT. Was there any delay in getting away?

Mr. DIETRICH. None; other than the time consumed discussing whether we would take shotguns or not.

Mr. HUBERT. Do you remember any difficulty in starting the larger car due to battery difficulty?

Mr. DIETRICH. Yes; we had difficulty starting it.

Mr. HUBERT. What kind of difficulty, and how long did it take to cure it?

Mr. DIETRICH. Well, I think about 10 minutes to start the truck; yes.

Mr. HUBERT. How was it started?

Mr. DIETRICH. If I remember correctly, they backed another truck up to it, and I think they used a hotshot. They brought a cable out and connected up one battery to the other.

Mr. HUBERT. Who did that?

Mr. DIETRICH. I didn't participate in it because I was dressed up and I didn't feel like getting dirty. It was Mr. Hall and Don Goin were the ones participating in getting the truck started.

Mr. HUBERT. Did you ride from the terminal to the city jail?

Mr. DIETRICH. Yes; with Don Goin. Don drove.

Mr. HUBERT. What truck were you in?

Mr. DIETRICH. Well, that I can't remember. I asked Don Goin prior to my coming in here, actually, as to which truck it was. He can't remember and I can't either. I think it was 49. I am not sure.

Mr. HUBERT. But it was not the larger truck?

Mr. DIETRICH. No; Mr. Fleming and Mr. Hall were in 46, which is the larger truck.

Mr. HUBERT. When you say you can't remember which truck you rode in, you were talking about what number it had, but you do remember that you rode in the smaller of the two?

Mr. DIETRICH. The smaller of the two; yes.

Mr. HUBERT. Who was driving the smaller of the two?

Mr. DIETRICH. Don Goin.

Mr. HUBERT. Did you actually follow the larger truck; or did it follow you?

Mr. DIETRICH. We followed the large truck.

Mr. HUBERT. What route did you take from the terminal to the city jail?

Mr. DIETRICH. If I remember correctly, we entered Ross Avenue, took a left on

Harwood, drove up Harwood to Commerce, and took a left and proceeded about one-half block and parked on the left side of the street, I would say, about 5 feet beyond the ramp that goes into the basement of the city jail or city hall.

Mr. HUBERT. In other words, you passed the exit on Commerce Street from the city hall?

Mr. DIETRICH. Yes, sir; we did. We had to.

Mr. HUBERT. Did you pass the larger truck and get in front of it; or did you wait until it backed in before you proceeded further?

Mr. DIETRICH. If I remember correctly; we passed the larger truck.

Mr. HUBERT. And got in front of it?

Mr. DIETRICH. Yes; we got in front of it, and if I remember correctly, the larger truck had difficulty maneuvering into position in order to back into the—I started to say cellar—basement. Actually, it was too large to go into the basement.

Mr. HUBERT. Could you tell us how long it was between the time you first arrived at the terminal, considering the various things you have said happened, until you left starting off to go to the city jail?

Mr. DIETRICH. You mean from the time I arrived at the terminal?

Mr. HUBERT. Yes; until the time you left the terminal.

Mr. DIETRICH. How much time was consumed?

Mr. HUBERT. Yes.

Mr. DIETRICH. I would say 20 to 25 minutes.

Mr. HUBERT. Could you give us an estimate of how long it took to make the drive from the terminal to the jail?

Mr. DIETRICH. Well, it was a Sunday morning. Traffic wasn't very heavy. We knew the route. We knew how to get there, and we knew the fastest route. I would say 6 or 7 minutes.

Mr. HUBERT. After you parked, as you say you did, about 5 feet beyond the Commerce Street entrance, and until you ultimately left, did you ever leave the immediate vicinity of the armored truck that you had gone in?

Mr. DIETRICH. Yes, sir; I got out several times, if I remember correctly.

Mr. HUBERT. I mean, did you walk away from it?

Mr. DIETRICH. No; well, just a few feet, yes.

Mr. HUBERT. That is what I said, the immediate vicinity. You didn't go, say, 10 feet from it?

Mr. DIETRICH. No; I don't think so. I think I walked to the rear of the truck, but not beyond it. One reason why I didn't was because I was in civilian clothes and I didn't want to be questioned by any of the officers in the vicinity as to why I was there.

Had I been in uniform, I would have perhaps walked around a little more. But I stayed in the cab of the truck.

Mr. HUBERT. When did it first come to your attention there had been a shooting in the basement? How did you learn that?

Mr. DIETRICH. Well, I didn't know about it until after I had left the terminal.

Mr. HUBERT. Until after you left what?

Mr. DIETRICH. After we left the city hall and went back to the terminal and then started for home.

Mr. HUBERT. You didn't know there was a shooting?

Mr. DIETRICH. I didn't know there was a shooting. I remained in the cab most of the time, other than the few times I stepped out to look around and observe the crowd, et cetera. We were sitting in the cab of the truck, and Mr. Hall walked up and told us, he said, "It's all off. Its been called off." We didn't question him. He didn't elaborate in any way.

Mr. HUBERT. And you didn't find out that Oswald had been shot?

Mr. DIETRICH. Nor did I hear any shot fired.

Mr. HUBERT. You didn't know he had been shot until after you got back to the terminal?

Mr. DIETRICH. Well, I didn't even know that anything had happened after we returned to the terminal, because if I remember correctly, Mr. Hall and Mr. Fleming, we never did see them upon returning to the terminal. And Don Goin and I parked the truck, got in our cars, and we had plans to meet at a coffee-shop on Ross Avenue and have a cup of coffee before we departed for our

respective homes. While we were in this cafe we heard the radio playing, or heard the announcer on the news, and one of the waitresses informed us that Jack Ruby had killed Lee Harvey Oswald.

Mr. HUBERT. Did you know Jack Ruby?

Mr. DIETRICH. No; I didn't.

Mr. HUBERT. You didn't notice any commotion around the jail prior to leaving?

Mr. DIETRICH. I heard a siren and perhaps it was the ambulance arriving to take Oswald from the city jail to Parkland Hospital, I think it was.

Mr. HUBERT. You left, however, before the big truck pulled out of the entrance?

Mr. DIETRICH. Yes; I heard some confusion, and I thought perhaps something had happened, I wasn't sure, but I didn't know really what had happened.

Mr. HUBERT. Do you remember seeing any police cars come up to the Commerce Street exit after the big truck had backed into that exit?

Mr. DIETRICH. No; I don't remember any.

Mr. HUBERT. Do you remember a police car coming along and it backing in front of the big truck?

Mr. DIETRICH. No; I don't.

Mr. HUBERT. Do you remember seeing a police car come and park in front of your car at any time?

Mr. DIETRICH. I think I faintly remember one, maybe, moving in front of us. As to how long he stayed there; I don't know. If I remember correctly; he didn't remain in front of us very long.

Mr. HUBERT. You don't remember seeing any police car back up so that its rear was almost touching the front of the big truck parked in the exit?

Mr. DIETRICH. No; I don't, because there is no way that you can—we don't have a mirror in front—we can't see to our rear by looking in a mirror in the front like a conventional automobile. Our only means of vision would be our side mirrors, and I don't remember any police car backing back that was blocking the rear of the big truck.

Mr. HUBERT. Blocking the front?

Mr. DIETRICH. The front; I meant, because he backed in. May I smoke?

Mr. HUBERT. Surely; were you or Mr. Goin and Mr. Hall or Mr. Fleming wearing any kind of overcoat on that day?

Mr. DIETRICH. No; I don't think so. It was a rather cool day and windy. An overcoat would have felt good.

Mr. HUBERT. Did you see any TV mobile unit vans parked on the same side of the street as you were, but closer to—

Mr. DIETRICH. They were right across the street; yes.

Mr. HUBERT. Did you see any parked on the same side of the street as you, but back of you toward Harwood?

Mr. DIETRICH. Well, I couldn't swear to it. Could have been. Might have been. I don't remember.

Mr. HUBERT. Did you notice whether there were any people moving in and out of the Commerce Street exit where the large truck was parked during the time that you were there?

Mr. DIETRICH. I think I noticed a few policemen moving in and out; yes.

Mr. HUBERT. Did you see any people in civilian clothes moving in and out other than Mr. Fleming?

Mr. DIETRICH. No; I didn't.

Mr. HUBERT. Were there police about the big truck?

Mr. DIETRICH. I didn't see too many policemen near the big truck; no, sir.

Mr. HUBERT. Did you see any policemen on either side of the truck?

Mr. DIETRICH. No, sir.

Mr. HUBERT. As I understand from what you said, you had no opportunity to look down the Commerce Street ramp at all, did you?

Mr. DIETRICH. Well, about the only thing I was able to observe was when I left the truck a few minutes to walk a few feet to the rear of it.

Mr. HUBERT. But since you were 5 feet beyond the Commerce Street entrance, you only walked at the most 10 feet from it? You never did get at an angle so you could look down?

Mr. DIETRICH. No; I never did. I was rather reluctant to do that, because I didn't want to be questioned by the police since I wasn't in uniform.

Mr. HUBERT. Mr. Dietrich, I don't think that we have had any conversation or there has been any questions or answers between you and me other than what has been recorded this evening, is that correct?

Mr. DIETRICH. No, sir.

Mr. HUBERT. I mean, that is correct? You agree with it?

Mr. DIETRICH. That is correct; yes, sir.

Mr. HUBERT. Thank you very much.

Mr. DIETRICH. I am sorry my memory was rather hazy.

Mr. HUBERT. That is all right. You did your best.

TESTIMONY OF EILEEN KAMINSKY

The testimony of Eileen Kaminsky was taken on July 23, 1964, at the U.S. courthouse, Chicago, Ill., by Mr. Burt W. Griffin, assistant counsel of the President's Commission.

Mr. GRIFFIN. Our normal procedure, Mrs. Kaminsky, is for me to say a few words at the beginning by way of introduction and then to administer the oath to you. Then, we will go on with the questioning at that point. Now, so that the record is clear, I will state again that my name is Burt Griffin and I am a member of the general counsel's staff of the President's Commission on the Assassination of President Kennedy.

This Commission was set up pursuant to an Executive order of President Johnson which was issued in late November, and also pursuant to a joint resolution of Congress. The Commission has been directed to investigate and to evaluate and to report back to the President all the facts surrounding the assassination of President Kennedy and the death of Lee Harvey Oswald. Under this resolution and Executive order, the Commission has authority to take testimony and to designate various members of its staff for the purpose of taking that testimony, and I have been designated to take your testimony here today. Our particular reason for calling you, of course, is to obtain what information we can in particular about your brother, Jack Ruby, and about the death of Lee Oswald, although if you have any information you can provide us on any of the subjects that we are concerned with, concerning the death of President Kennedy, we also would like any of that information.

I might first ask you if you received a letter from the Commission asking you to appear here?

Mrs. KAMINSKY. Yes; I did.

Mr. GRIFFIN. Do you recall when you received that letter?

Mrs. KAMINSKY. Yes; Sunday—well, we picked it up at the post office. We weren't home.

Mr. GRIFFIN. The reason I mentioned it is that under the rules of the Commission, you are entitled to receive 3 days' notice before you appear for your testimony, and I take it from what you have said that that provision has been complied with. Do you have any questions before we start—before I start asking you questions?

Mrs. KAMINSKY. I don't.

Mr. GRIFFIN. Any questions about what the proceeding is about?

Mrs. KAMINSKY. Well, I don't know.

Mr. GRIFFIN. Well, if you have any as we go along, just feel free to ask me. Would you raise your right hand then and I will administer the oath to you. Do you solemnly swear that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. KAMINSKY. I do.

Mr. GRIFFIN. Would you state for the record your full name?

Mrs. KAMINSKY. Mrs. Eileen Kaminsky, E-i-l-e-e-n K-a-m-i-n-s-k-y.

Mr. GRIFFIN. Where do you live now, Mrs. Kaminsky?

Mrs. KAMINSKY. 6724 North Talman, T-a-l-m-a-n, Chicago 45, Ill.

Mr. GRIFFIN. When were you born?

Mrs. KAMINSKY. July 11, 1917.

Mr. GRIFFIN. Were you born here in Chicago?

Mrs. KAMINSKY. Yes.

Mr. GRIFFIN. Are you the youngest child in the family?

Mrs. KAMINSKY. Right.

Mr. GRIFFIN. And you have seven brothers and sisters; is that correct?

Mrs. KAMINSKY. Yes; four brothers and three sisters.

Mr. GRIFFIN. Can you tell us when you were married?

Mrs. KAMINSKY. Yes; October 26, 1947.

Mr. GRIFFIN. And have you lived in Chicago all your life?

Mrs. KAMINSKY. All my life.

Mr. GRIFFIN. I am going to ask you a few questions at the outset about your family, and I don't know how much information you have on the subject since you are the youngest in the family, but you may—

Mrs. KAMINSKY. Yes; I found that out. I didn't know so much.

Mr. GRIFFIN. I presume that as a child and as an adult, you had occasion to talk to your mother and father about their background. Do you know, or have you heard in that fashion where your mother was born?

Mrs. KAMINSKY. You know, I—it is a town in either Poland or Russia but I can't think of it. My mother has been gone 20 years, and we never really did talk that much, although I know I have heard the town.

Mr. GRIFFIN. Do you know how many brothers or sisters your mother had?

Mrs. KAMINSKY. No; I don't—I really don't.

Mr. GRIFFIN. How about your father; do you know how many brothers or sisters he had?

Mrs. KAMINSKY. Well, he had one brother who passed away a few years ago. That was the only one I knew of, and my mother had—she did have a brother who just passed away a couple years ago, too; however, I don't know—I know she had a half- or step-sister at one time. As a matter of fact, she is still—one of the daughters of that half-sister is still living.

Mr. GRIFFIN. Yes. What was the half-sister's name?

Mrs. KAMINSKY. Well, in Jewish—I didn't even know the English.

Mr. GRIFFIN. What would that be in Jewish?

Mrs. KAMINSKY. Hysura.

Mr. GRIFFIN. How would you spell that?

Mrs. KAMINSKY. I don't know.

Mr. GRIFFIN. Where did they live?

Mrs. KAMINSKY. Well, when I—I don't even remember her, it's so many years ago, even when my mother says—she was in her fifties. This woman I think was already in her eighties or something, you know.

Mr. GRIFFIN. Yes. Well, did your mother ever explain to you how she happened to have a half-sister?

Mrs. KAMINSKY. If she did, I don't remember. I don't really think we—at least, I never went into it too much.

Mr. GRIFFIN. Did you ever have any information about what your mother's father did, your maternal grandfather?

Mrs. KAMINSKY. Well, there was some story that my mother's mother was supposed to have been some sort of doctor. In those days, I don't know what they considered a doctor, you know.

Mr. GRIFFIN. Who was supposed to have been the doctor—

Mrs. KAMINSKY. I don't—

Mr. GRIFFIN. Your mother's father or your mother's mother?

Mrs. KAMINSKY. I don't know. I don't know. [My maternal grandmother was supposed to have been the doctor.]

Mr. GRIFFIN. Yes. Did your mother talk about these things?

Mrs. KAMINSKY. Not too much. One of my sisters, or a couple of them, used to talk about it once in a while, but never a—not very often.

Mr. GRIFFIN. Well now, you were born in 1917?

Mrs. KAMINSKY. Yes.

Mr. GRIFFIN. And there came a time about 1921 when your family broke up. What became of you when Jack was put in a foster home?

Mrs. KAMINSKY. Well, I was also put in a foster home. I was in several. It's pretty vague to me, to be truthful, but I remember being in a couple of them, I think, until I was about 9 years old. Then, the family came together again.

Mr. GRIFFIN. Did your mother and father visit you while you were in that foster home?

Mrs. KAMINSKY. Yes.

Mr. GRIFFIN. How—

Mrs. KAMINSKY. My mother, especially. My mother did; I don't remember about my father so much.

Mr. GRIFFIN. Why were all of the children put in foster homes at that time?

Mrs. KAMINSKY. Well, I don't know about the older ones, but we younger ones were. The older ones may have been—I think I might have been around—you say 1921. I thought I was about six which would bring it to 1923. Now, say the sister next to Jack is about 8 years older than I am. She would have been 14—

Mr. GRIFFIN. Is that Eva?

Mrs. KAMINSKY. Yes; right. I'm trying to think where. I know Earl. I remember Earl, one time, some farm of some kind; I guess Jack did, too.

Mr. GRIFFIN. Was there a time in your life as a child that none of the children were living in the home with your mother?

Mrs. KAMINSKY. You mean not even the older ones; is that it?

Mr. GRIFFIN. Yes.

Mrs. KAMINSKY. I don't know. I imagine there might have been a time.

Mr. GRIFFIN. Well, during this period that you were in the foster home, what contact did you have with your other brothers and sisters?

Mrs. KAMINSKY. Very little, if I remember. I think, maybe, it seems, you know, it's so long ago—I'm 47 now and it's a long time. It seems to me that occasionally I would see my sisters. I remember when I was young having measles, it seemed to me my sister came, you know.

Mr. GRIFFIN. What did you know about your father at this point when you were in the foster home?

Mrs. KAMINSKY. Well, not too much. He lived apart.

Mr. GRIFFIN. Was it your understanding that while you were in the foster home he was not living with your mother?

Mrs. KAMINSKY. Yes; that I—I know. I feel that is true.

Mr. GRIFFIN. Yes; and how old were you when you returned to the home?

Mrs. KAMINSKY. Well, I remember having a ninth birthday party and we were together.

Mr. GRIFFIN. Was the whole family together at that point?

Mrs. KAMINSKY. I think everybody was home.

Mr. GRIFFIN. That would have made it 1926?

Mrs. KAMINSKY. Yes.

Mr. GRIFFIN. Was your father living at home at that point?

Mrs. KAMINSKY. No; he wasn't.

Mr. GRIFFIN. How long was it before your father came back and lived in the home?

Mrs. KAMINSKY. Well, actually, he never did return under—how shall I say—under friendly circumstances with my mother.

Mr. GRIFFIN. Yes.

Mrs. KAMINSKY. There was a time when he came back because he was ill and then later, after she passed away, he came back. That's 20 years ago, he came back.

Mr. GRIFFIN. He came back when he was ill?

Mr. KAMINSKY. Yes; there was a time when he was ill and he needed some attention. It's kind of vague in my mind.

Mr. GRIFFIN. Well, prior to the time you went into the foster home, was your father living in the home then?

Mrs. KAMINSKY. I believe so.

Mr. GRIFFIN. Do you have any personal recollection of it? I mean, when he came back.

Mrs. KAMINSKY. No; I don't remember that far back.

Mr. GRIFFIN. When your father was ill, how long did he remain in the home?
Mrs. KAMINSKY. I don't know. This is all vague to me. I really don't remember.

Mr. GRIFFIN. Well, during this period from the early 1920's until your father returned to the home, how often did you see him?

Mrs. KAMINSKY. Well, I don't think I saw a great deal of him.

Mr. GRIFFIN. What would that be? Would you see him once a month or once every 3 months or—

Mrs. KAMINSKY. Perhaps, more like once every 3 months. I mean I can't pin it down definitely, but it would be—

Mr. GRIFFIN. What sort of interest did he show in the children?

Mrs. KAMINSKY. Well, I don't know how to answer that. He had a struggle taking care of himself. I am afraid—as a matter of fact, when the children were old enough, they tried to take care of him.

Mr. GRIFFIN. How do you explain the willingness of the children to take

Mr. GRIFFIN. How do you explain the willingness of the children to take care of your father even though he apparently didn't do much taking care of you?

Mrs. KAMINSKY. Well, he was our father. I guess it might all boil down to that, and we did have a—quite an affection for him.

Mr. GRIFFIN. Yes.

Mrs. KAMINSKY. We often thought if my mother hadn't been so emotional and—perhaps, things might have been different.

Mr. GRIFFIN. Well, did your father show kindnesses towards you even though—when he wasn't living in the home?

Mrs. KAMINSKY. I think he did towards the children; yes.

Mr. GRIFFIN. What sort of things do you remember him doing?

Mrs. KAMINSKY. Well, buying meat, clothes or shoes or things. In those days, it was difficult to obtain; depression days.

Mr. GRIFFIN. Where was he living when he wasn't living with your people?

Mrs. KAMINSKY. When he wasn't?

Mr. GRIFFIN. Yes.

Mrs. KAMINSKY. Well, I remember vaguely him living with a—you would call it now the east side, around Halsted Street or something like that.

Mr. GRIFFIN. Was he living with someone else?

Mrs. KAMINSKY. No, he usually had his own little—just probably a room and a bathroom and a kitchen.

Mr. GRIFFIN. Yes?

Mrs. KAMINSKY. There might have been times that he'd have—you know, a man friend, well, a man, or a man his age.

Mr. GRIFFIN. Can you give us some sort of a date as to when he returned to the home on a permanent basis?

Mrs. KAMINSKY. Well, I think it's—perhaps, after my mother passed away. She passed away in April of 1944, so it was some time after that.

Mr. GRIFFIN. I see. Do you have any information about his relationship with your brother, Jack, before he moved back into the home?

Mrs. KAMINSKY. Well, Jack always felt kind of sorry for him, you know, being—his being alone. Jack is a very compassionate person. He always feels sorry for the underdogs, so to speak.

Mr. GRIFFIN. What was Jack's attitude towards your mother?

Mrs. KAMINSKY. He was very fond of her. As a matter of fact, I often feel he was her favorite child.

Mr. GRIFFIN. What makes you feel that way?

Mrs. KAMINSKY. Well, I remember once she was very ill and she had given him some money to hold for her. She thought she was dying, and I think it was around \$15, just—I don't exactly know.

Mr. GRIFFIN. Yes.

Mrs. KAMINSKY. He wanted to make her feel good so he says, "Ma," he says, "gee, you have got \$85 here."

Well, she recovered and she wanted her \$85 back, and I said, "Jack, what are you going to do?"

He says, "I am going to give it to her." He says, "It made her feel good, didn't it," and that was one of his expressions. It made her feel good or it made him feel good, just so it makes you feel good.

Mr. GRIFFIN. When was this?

Mrs. KAMINSKY. This was—well, I don't think it was too long before she passed away. I'd say, perhaps, that same year because she had been pretty sickly.

Mr. GRIFFIN. Yes. Well now, there was a time in the 1930's when your mother had considerable psychiatric difficulties and she was hospitalized?

Mrs. KAMINSKY. Yes.

Mr. GRIFFIN. Did Jack at that time give the family any help with her?

Mrs. KAMINSKY. What kind of help do you mean?

Mr. GRIFFIN. Well, did he—did he come back; did he take an interest of any sort in—

Mrs. KAMINSKY. I really don't remember.

Mr. GRIFFIN. Yes.

Mrs. KAMINSKY. I think when she was hospitalized, I think we were all together then, if I am not mistaken.

Mr. GRIFFIN. From the time that you returned from the foster home until you were married in 1947, did you live all of the time in the family home?

Mrs. KAMINSKY. Right.

Mr. GRIFFIN. All right. Now, during that period, do you recall the times that Jack lived in the home with you?

Mrs. KAMINSKY. I can't recall the specific time but he did live home quite a bit of the time, and then there were times when he—when he didn't live home, when he lived with a boy friend or when he was old enough.

Mr. GRIFFIN. Yes.

Mrs. KAMINSKY. He was out on his own.

Mr. GRIFFIN. Well, after he reached adulthood, well, let's take it from, say, 1929, when he would have been 18 until he went to California in 1933, do you recall how much of the time Jack lived in the home?

Mrs. KAMINSKY. When he went to California, you mean?

Mr. GRIFFIN. From 1929 to 1933; that is, from the time he was about 18 until the time he went to California in 1933, how much time did he spend in the home?

Mrs. KAMINSKY. I can't recall.

Mr. GRIFFIN. All right. Now, do you remember when he came back from California?

Mrs. KAMINSKY. It's rather vague.

Mr. GRIFFIN. I see.

Mrs. KAMINSKY. I know when he was out in California, though, he took care of my sister, Eva, out there. She and her son.

Mr. GRIFFIN. Of your sisters, which ones—which one would you say has the most information about the family background; who would be most familiar with it?

Mrs. KAMINSKY. Well, I think, perhaps, any of the three because, you see, the boys are between me and the sisters so there is enough age there for them to—

Mr. GRIFFIN. Yes.

Mrs. KAMINSKY. Have that difference.

Mr. GRIFFIN. Do you think Eva—

Mrs. KAMINSKY. Eva might and Marion might. Probably, Eva would have as much as anybody, I think.

Mr. GRIFFIN. Well, do you have any recollection of your father living in the home with your mother until the time that he got sick and returned for a little while?

Mrs. KAMINSKY. No, no; and I—you know, I am a little vague even about that time when he was sick. I am trying to think when—whether there was a time when—actually, a wall collapsed on him. You know, he had been a carpenter.

Mr. GRIFFIN. Yes.

Mrs. KAMINSKY. And I don't know whether it was that time or some other time. It is all very hazy; very hazy.

Mr. GRIFFIN. Well, it sounds to me from what you are telling me that from

the time Jack would have been 10 or 12; that is, 1921 or 1923, until he became an adult, there was no real father in the home?

Mrs. KAMINSKY. That's right, and even afterwards, I mean.

Mr. GRIFFIN. Yes. So that all the boys really grew up without a father in the home——

Mrs. KAMINSKY. Yes.

Mr. GRIFFIN. Is that right? Does that seem accurate to you?

Mrs. KAMINSKY. Yes.

Mr. GRIFFIN. Have you had occasion to visit Jack in the period from the time he went to Dallas until he shot Lee Oswald?

Mrs. KAMINSKY. Yes; I was out there twice.

Mr. GRIFFIN. When were you there?

Mrs. KAMINSKY. I was there this last August for the—the last 2 weeks in August with my children, and I was there the preceding year for a week and then Jack even stopped in Chicago last August, just a week I believe, before I went down there just between planes.

Mr. GRIFFIN. How did you happen to go to Dallas on the first occasion?

Mrs. KAMINSKY. Well, I was kind of run down and nervous, frankly, I wanted to get away from the children a little bit and I didn't know where to go.

Mr. GRIFFIN. Yes.

Mrs. KAMINSKY. And I don't remember if I called him or asked him if he'd mind if I'd come down, but whatever it was, he welcomed me.

Mr. GRIFFIN. Yes.

Mrs. KAMINSKY. And I stayed a week.

Mr. GRIFFIN. Did you go down alone?

Mrs. KAMINSKY. The first time; yes.

Mr. GRIFFIN. Did you stay with Jack or with one of your other brothers and sisters?

Mrs. KAMINSKY. No; I stayed with Jack that time, all the time. This last trip, I stayed primarily with Eva because I had the two little girls and she had more—not necessarily should I say "more time," but because of all the women being together.

Mr. GRIFFIN. Yes. How old are your children?

Mrs. KAMINSKY. Eight and 11½.

Mr. GRIFFIN. They are both girls?

Mrs. KAMINSKY. Right.

Mr. GRIFFIN. Now, the first time that you went down, why was it that you decided to stay with Jack rather than Eva or Sam?

Mrs. KAMINSKY. Well, I—frankly, I was—felt closer to Jack. I mean Jack has always been wonderful to me and not that I used to go to him with problems, I never had such problems, but always has been very understanding, considerate, and I just thought it would be more to my liking to stay with him.

Mr. GRIFFIN. Yes. Did you have a chance to meet any of his friends on that occasion?

Mrs. KAMINSKY. Well, as a matter of fact, that week, this master of ceremonies who reads minds—I forget his name——

Mr. GRIFFIN. Bill DeMar?

Mrs. KAMINSKY. Yes. He was staying there, and I asked Jack what he was doing there and—this is Jack. He says—well, he says, "He needs the money to send to his wife and kids, so why should he pay a hotel room, so I let him stay here." And Jack fed him, too, and he was staying there that week.

Mr. GRIFFIN. Yes. Where was Jack living at that time?

Mrs. KAMINSKY. I think it was the—on Monterey—Monterey or Ewing, it seems to me.

Mr. GRIFFIN. Was it the same building that he was in at the time he shot Lee Oswald?

Mrs. KAMINSKY. No. Wait, yes; I think it was. I think it was the same apartment. They all look alike, you know, these new modern structures, and we would drive up——

Mr. GRIFFIN. If you are not sure, it is better to say that you are not sure.

Mrs. KAMINSKY. I am not sure.

MR. GRIFFIN. All right. Now, on the second occasion when you were down there last August, how did—how did you happen to decide to go down on that occasion?

MRS. KAMINSKY. Well, the kids had had a bad experience at day camp and were very restless and I thought I'd get them away for awhile.

MR. GRIFFIN. Yes?

MRS. KAMINSKY. And so I called Jack one day and asked him, "Do you want us?"

He says, "Sure, come down," and we did. We don't need any reservations so we did.

MR. GRIFFIN. Did you call Jack or did you call Eva?

MRS. KAMINSKY. No, I called Jack.

MR. GRIFFIN. But you lived at Eva's house?

MRS. KAMINSKY. Yes.

MR. GRIFFIN. And how long did you remain on that occasion?

MRS. KAMINSKY. We were there about 2 weeks.

MR. GRIFFIN. Now, did you visit Jack in his apartment at that time?

MRS. KAMINSKY. Well, yes, we did; and the last 2—the last 2 days we stayed with Jack.

MR. GRIFFIN. Why was that?

MRS. KAMINSKY. Well, we—he was going to drive us home to the—to the train, and we—well, first we were going to go to dinner and he was going to take us back to the apartment, and we were going to leave the next day, and instead, we spent 2 days there.

As a matter of fact, the reason we stayed over, Eva and Jack had an argument and he asked me to stay over. [He believed I might make peace between them.] He felt badly and, as a matter of fact, the minute it was over, we never did get to dinner, we went back to his apartment. He had me call her and see how she was.

MR. GRIFFIN. What was the argument about?

MRS. KAMINSKY. Oh, someone had called him person to person and she had accepted the call and it was for him and so he became angry and then, she asked him if he knew somebody, and he didn't, and she kept repeating the name, and she sort of riled him up, you know.

MR. GRIFFIN. Yes.

MRS. KAMINSKY. And I myself would have become angry. She kept repeating it, "Don't you know so-and-so? Don't you know so-and-so?"

I can't think of the name. He said, "No, I don't"; and then, quite a few words and an argument. As a matter of fact, he pushed her.

MR. GRIFFIN. He pushed her?

MRS. KAMINSKY. Yes.

MR. GRIFFIN. Did he hurt her?

MRS. KAMINSKY. Well, I don't think he—actually, he practically pushed her out of the car. I was a little frightened, you know, myself.

MR. GRIFFIN. Where did this occur?

MRS. KAMINSKY. This was on the way to the restaurant. It was—I think it is a Thursday night, about the end of August. That is all I would know.

MR. GRIFFIN. Yes.

MRS. KAMINSKY. And he just practically pushed her out of the car; and then, afterward, after it was over, I stayed in the car because my luggage was there. Self-preservation is instinctive, and we got back to his apartment and he had me call her and ask her if she was all right, and—because she had to take a cab back to—

MR. GRIFFIN. Then, did you remain on for another 2 days?

MRS. KAMINSKY. Well, I think that was Thursday night. I stayed Friday and I think I left Saturday or Sunday. I am not positive, one of the 2 days.

MR. GRIFFIN. Now, when you were—when you were in Jack's apartment, did you notice—what could you tell us about the apartment? How was it maintained?

MRS. KAMINSKY. Well, it was a nice, modern apartment and I believe he had a cleaning woman every week or so. Of course, a bachelor will let things go. He cooked; he made dinner for us and he let my children help him mix up something. They were very happy. It is something I don't let them do.

Mr. GRIFFIN. Yes.

Mrs. KAMINSKY. And he was very wonderful to them.

As a matter of fact, I believe it was that Friday, it was extremely hot. It simply was 107 and there was a swimming pool attached, you know, with the apartment.

They wanted to go swimming and I asked him if he would take them because I don't swim, and I didn't even have a bathing suit and he wouldn't.

He said, "No." He said, "Some child was drowned, I believe, in a private swimming pool somewhere, not too long before that and they—no children were allowed in the water unless they are with a lifeguard."

I think most of these apartments are rented to adults and I really wanted—I said, "Well, you are a good swimmer." I said, "You will watch them."

He said, "No, I wouldn't take that chance."

Mr. GRIFFIN. Did you notice whether he had any books or magazines or things like that in the apartment?

Mrs. KAMINSKY. Oh, nothing outstanding, maybe pictures of strippers, something like that.

Mr. GRIFFIN. Paperback books, did he have any of those?

Mrs. KAMINSKY. No. I—I mean—I didn't notice any. I don't think Jack read that type of thing.

I know he read this book, Exodus, by Leon Uris.

Mr. GRIFFIN. Yes. How do you know that?

Mrs. KAMINSKY. Well, because he sent the book to my sister, Marion, and she gave it to me. He bought—it was so wonderful, I think once he called just to tell us how wonderful it was.

Mr. GRIFFIN. When did he send that to Marian?

Mrs. KAMINSKY. Oh, a couple of years ago, I think, when it first came out. As a matter of fact, I believe I have the book at home now.

Mr. GRIFFIN. I see.

Mrs. KAMINSKY. He was very much impressed by it.

Mr. GRIFFIN. Any other books that he sent you?

Mrs. KAMINSKY. No, not that I can recall, but I remember that because he spoke about it.

Mr. GRIFFIN. Now, you remember his calling you on Friday—

Mrs. KAMINSKY. Yes.

Mr. GRIFFIN (continuing). November 22, after the President was shot?

Mrs. KAMINSKY. Yes.

Mr. GRIFFIN. And do you remember approximately when that was in the afternoon?

Mrs. KAMINSKY. Well, I couldn't tell—don't remember exactly. I know it was after the President had—it had been announced that he had passed away.

Mr. GRIFFIN. Well, maybe we can reconstruct it by my asking you first of all where you were when you first learned that the President had been shot?

Mrs. KAMINSKY. I was in the kitchen giving my children some lunch. They had both been home from school because they both had colds and then, I suddenly turned on the radio about 1 o'clock, and I heard the radio say something, the President has been shot and I—I just couldn't believe my ears and so, I ran in to turn on the television and I felt if there were any truth to it, you know, we'd be able to see something—see an announcer and really hear it.

Mr. GRIFFIN. Yes.

Mrs. KAMINSKY. And it was true, of course.

Mr. GRIFFIN. And then, did you hear from Jack after that?

Mrs. KAMINSKY. After the President—after, I guess, it was announced that he had died.

Mr. GRIFFIN. Well now, the telephone records we have assembled indicate that he called you about 2 o'clock Dallas time which is—I guess it would be around 3 o'clock Chicago time.

Mrs. KAMINSKY. Oh, yes. I didn't know exactly, but when the FBI questioned me, they thought it might be anywhere from 1:30 to 3 o'clock.

Mr. GRIFFIN. You remember that telephone call?

Mrs. KAMINSKY. Yes, I do, very well.

Mr. GRIFFIN. Tell us—tell us how this call went. Jack—you picked up the phone and there was Jack.

Mrs. KAMINSKY. That's right.

Mr. GRIFFIN. What did he say and what did you say?

Mrs. KAMINSKY. He was crying to start off with. He said—he said, "Did you hear the awful news?"

And I said, "Yes," and he said, "Oh, my God, oh, my God."

He repeated it several times. He said, "What a black mark for Dallas," and then he said—

Mr. GRIFFIN. You said, "What a black mark?"

Mrs. KAMINSKY. No; Jack said, "What a black mark for Dallas."

Then, he said—oh, he said, "Maybe I will fly up to be with you tonight." And I said, "Well, I don't think that is necessary."

You know, I knew he was upset. You see, my sister had just been home from the hospital with serious surgery less than a week and—

Mr. GRIFFIN. Are you talking about Eva?

Mrs. KAMINSKY. Eva, yes. She had abdominal surgery and I knew there was no one to take care of her, you know. So I said, "Well, how is Eva?"

He says, "Oh she's terrible. When she heard this news, she's even worse."

I said, "You better stay there. I will call you tonight. Be at her apartment after 9, and I will call you tonight after 9."

Then, while I was talking to him, he said—I could hear that someone else was talking to him, and I said, "Well, who is that?"

He said, "It is the porter. There is another call for me. Alice returned my call." Alice Nichols is her name. I guess he said, "I'd call her at a time like that." He wanted to talk to people, you know.

Mr. GRIFFIN. Yes.

Mrs. KAMINSKY. And so I didn't keep him on the phone too long but his voice was, you know, breaking all the time. Of course, I was—I was no help because I was in the same—I felt terrible myself, you know.

And that night, I don't remember whether I called my sister Eva's apartment or she called me. We never did get it straight, but we did speak to one another, and I did ask for Jack and she said, "Well, he is at the temple. He went to temple that night," and I believe he also called my oldest brother that night, too.

Mr. GRIFFIN. Well, was Jack supposed—were you going to call back for the purpose of talking to Jack or for the purpose of talking to Eva?

Mrs. KAMINSKY. Well, I was going to talk to both of them. I figured he would be at her apartment that night and I could talk to both of them but as it happened, she said he left earlier to go to the temple.

Mr. GRIFFIN. Did you suggest to him in any way that he ought to take care of Eva or go over to see her?

Mrs. KAMINSKY. Well, yes; because I said—well I, you know, naturally, we both knew she had had the surgery.

As a matter of fact, she told us that while she was in the hospital, he came 15 times in 6 days and a woman, either in the next room or the next bed, said, "Your doctor has been here again."

She says, "Yes, he has." She never let on that Jack was her brother because, you know, having a nightclub, he would come in at irregular hours. So, yes; I felt he should stay with Eva because I figured—

Mr. GRIFFIN. But did you say this to him—I am trying to find out if you actually told Jack that or if you don't remember, say you don't remember.

Mrs. KAMINSKY. I don't remember.

Mr. GRIFFIN. Do you recall receiving any telephone calls from Jack while Eva was in the hospital?

Mrs. KAMINSKY. I—I recall receiving one. I believe it was just a day or two before she went. He asked me to send her some flowers.

I believe he called my sister Marion. He called us all, I believe. He said, "She was going in for surgery."

Mr. GRIFFIN. After you called Eva, what did you do that night? Did you go over to Hyman's house or did you stay home?

Mrs. KAMINSKY. I stayed home. As a matter of fact, Hyman came over for dinner that evening and that is one of the reasons—I don't know whether Eva

called me or I called her. She was going to call at the house. We called it "the other house."

Mr. GRIFFIN. Yes.

Mrs. KAMINSKY. And I said to her, "Tell Hyman he left his glasses here." He had been there for dinner. He had had some throat surgery, just been out of the hospital a day and I remember he asked me to prepare some kind of foods for him.

Mr. GRIFFIN. What did Eva say to you when—when she talked to you on the telephone?

Mrs. KAMINSKY. She said—I remember this. I felt—she says, "You know, I feel worse about this than when Pa died," and we did because my father was 89, you know, and it [President Kennedy] was a man really in the prime of his life.

Mr. GRIFFIN. If I understand your testimony, you talked with Eva Friday evening and some mention was made that Eva would call Hyman?

Mrs. KAMINSKY. Yes; she said something that she was going to call him and I said, "Well, don't forget to tell him he left his glasses at my house." I am sure it was that night.

Mr. GRIFFIN. Yes.

Mrs. KAMINSKY. We talked about this when I was down in Dallas and she says, "Don't you remember I called you?" I says, "Well, I thought I called you." Of course, we could check it, I suppose, to see who called who.

Mr. GRIFFIN. How about the conversation that you have just related about Hyman and the glasses? This is something that you remembered on your own or did somebody have to remind you of that?

Mrs. KAMINSKY. I think Eva reminded me. She said, "Don't you remember to tell"—Well, we call him "Mess." It is a nickname—"that he left his glasses." I says, "Oh, that's right." I mean, you know, it didn't—

Mr. GRIFFIN. Well, originally, when you talked to Eva, did you have any recollection of the telephone conversation at all with Eva?

Mrs. KAMINSKY. I didn't understand that.

Mr. GRIFFIN. When you first talked with Eva—

Mrs. KAMINSKY. Yes; that night?

Mr. GRIFFIN. No; when you later talked with her down in Dallas.

Mrs. KAMINSKY. Yes.

Mr. GRIFFIN. Did you have any recollection at all that you had—you are the one that called her or that you had talked with her?

Mrs. KAMINSKY. Oh, yes.

Mr. GRIFFIN. On Friday night?

Mrs. KAMINSKY. Yes, yes. I knew I had talked because I remember distinctly the remark that she said, "Eileen, I feel worse about this than when Pa died."

Mr. GRIFFIN. But the remark about Hyman and the glasses was one that she had to remind you about?

Mrs. KAMINSKY. Well, it came about because we didn't know who called who.

Mr. GRIFFIN. I see. When you talked to Jack on Friday afternoon, did he mention to you where he had been earlier that day?

Mrs. KAMINSKY. No; I don't recall whether he—but I assume he was calling me from his club because as I say, I could hear another voice. He said it was his porter. I—

Mr. GRIFFIN. Yes.

Mrs. KAMINSKY. I don't remember what he said about—

Mr. GRIFFIN. What sort of religious practices did your mother maintain in the home when you were growing up as a girl?

Mrs. KAMINSKY. Well, we weren't too religious. At least, I don't feel I had too much religious training or any training.

Mr. GRIFFIN. What training did you have?

Mrs. KAMINSKY. Well, I never went to—what you call—Hebrew school. In those days, girls didn't. Now, today, it seems to be the fashion.

Mr. GRIFFIN. Yes.

Mrs. KAMINSKY. We adhered to certain conservative Jewish principles.

Mr. GRIFFIN. Which ones in particular?

Mrs. KAMINSKY. Oh, observing the holidays as best as we could, you know,

fasting on the high holidays. When we were younger, we did that more religiously than we do now.

Mr. GRIFFIN. Were there any practices maintained in the home?

Mrs. KAMINSKY. Well, Friday was, more or less, of the holiday or our Sabbath, you know, Friday evenings, Saturday; and naturally, if we had jobs and had to work on a Saturday, we did, although orthodox people don't.

Mr. GRIFFIN. That's right. You didn't observe the Sabbath as the Orthodox Jews do?

Mrs. KAMINSKY. No, no.

Mr. GRIFFIN. Did your mother maintain two sets of dishes?

Mrs. KAMINSKY. Not—no; I don't remember that. We had many sets, pieces of them.

Mr. GRIFFIN. Well, did your observance of the religious practices go beyond observing the high holidays?

Mrs. KAMINSKY. Well, Friday was a special dinner as a rule. It was a little more elaborate, shall I say, and we did, in a sense, restrict ourselves to Saturday not doing housework.

Mr. GRIFFIN. Yes.

Mrs. KAMINSKY. You know, you are not supposed to do that.

Mr. GRIFFIN. How about—did you observe any of the dietary laws at all in the home?

Mrs. KAMINSKY. Yes.

Mr. GRIFFIN. Which ones?

Mrs. KAMINSKY. Well, we didn't mix dairy foods with meat foods. Now, we would never serve milk while having meat on the table, you know, never do that.

Mr. GRIFFIN. Yes; but that is—that is a different thing from keeping different sets of dishes.

Mrs. KAMINSKY. Well, in a sense, it is the same thing because one set of dishes would be used for dairy food and one set for meat.

Mr. GRIFFIN. But did your mother do that? Did your mother observe that?

Mrs. KAMINSKY. You know, I don't remember.

Mr. GRIFFIN. Yes.

Mrs. KAMINSKY. I know, when I was old enough to notice, I didn't notice any separate dishes.

Mr. GRIFFIN. Yes. Did your mother—did your mother know how to read and write?

Mrs. KAMINSKY. She could sign her name but she couldn't read or write.

Mr. GRIFFIN. Are you sure she could sign her name?

Mrs. KAMINSKY. Yes; I seem to remember her having done that.

Mr. GRIFFIN. To what extent did she speak English?

Mrs. KAMINSKY. Not too much.

Mr. GRIFFIN. All right. Were you children all able to speak in Yiddish?

Mrs. KAMINSKY. Yes.

Mr. GRIFFIN. How about your father; did he speak English?

Mrs. KAMINSKY. Well, better than my mother but with a definite accent. We spoke a great deal in Jewish to him, too.

Mr. GRIFFIN. Is there anything else that you can think of that you want to tell us that might be useful to the Commission?

Mrs. KAMINSKY. Well, I wrote you that letter about Mrs. Tice. Was that ever checked out?

Mr. GRIFFIN. Yes; we have interviewed her and I am going to take her testimony tomorrow down in Dallas.

Mrs. KAMINSKY. Oh, are you?

Mr. GRIFFIN. Yes.

Mrs. KAMINSKY. And about this Rufus Fayette, did you see that letter?

Mr. GRIFFIN. I don't know that I saw that.

Mrs. KAMINSKY. Well now, the night before, the Thursday night, before the Friday that Officer Dean's testimony was so damaging, he had been released from the county jail in Dallas, I believe, that same day.

Mr. GRIFFIN. Fayette?

Mrs. KAMINSKY. I believe it is Fayette or Layette. I asked Jack to—for his name. I didn't want to ask any of the policemen, you know.

Mr. GRIFFIN. Yes.

Mrs. KAMINSKY. So Jack—that's the name Jack gave me. He had operated the elevator there all the time during the selection of the jury and during the part of the trial that he was there for. And he called my sister Eva about 11 o'clock this Thursday night. I tried to figure back the date. I think I wrote it in a previous letter I addressed just to the Commission itself.

Mr. GRIFFIN. Yes.

Mrs. KAMINSKY. And he said that this man who, I guess, he is a private detective or detective who takes the polygraph test, Sweatt, Allen Sweatt, had been riding in the elevator with him and Allen Sweatt said that, "Unless the State's attorney can drum or rook up some good witnesses for tomorrow, I am going to walk Jack Ruby right out of this jail, because the State's attorney has lost the case." And it was the very next morning that Dean gave his testimony, if I remember correctly. I wasn't in the courtroom because I was supposed to be a witness so they didn't let me in.

Mr. GRIFFIN. Yes.

Mrs. KAMINSKY. So I found out—I don't know how we found out that he worked at the Southwest Automotive Parts. I don't know whether Jack found that out for me or not. I did ask Jack, and anyway, he did say he worked at some sort of automotive parts.

Mr. GRIFFIN. Yes.

Mrs. KAMINSKY. We heard it was Southwest Automotive because that possibly—

Mr. GRIFFIN. Of course, you don't have any information that Sweat was aware of the witnesses—your suggestion, I take it, that until that Thursday night, nobody had ever heard of Officer Dean's testimony? Well, you don't know?

Mrs. KAMINSKY. No.

Mr. GRIFFIN. You don't know whether Sweat was in communication with the district attorney and had any idea what the district attorney might have had as—might have had Dean lined up as a witness for a number of days?

Mrs. KAMINSKY. Yes.

Mr. GRIFFIN. I take it you don't have any information that Sweat knew at that point—

Mrs. KAMINSKY. No.

Mr. GRIFFIN. That the district attorney—

Mrs. KAMINSKY. But we knew—I mean I knew that Dean would eventually testify because I believe, previously, there had been something in the papers about him.

Mr. GRIFFIN. Yes.

Mrs. KAMINSKY. I think even previously, if I am not mistaken, he had said that Jack had told him that he planned to kill Oswald—oh, and incidentally, at the hearing, April 29, for the motion for the new trial, this Tom Alyea and Art Sinclair from, I believe it is channel 8 down there, I think, station WFAA, talked to us and Tom Alyea said he had just spoken to Dean in a corner and he said Dean said to him—"I didn't say Jack planned it." I said, "Jack said if given the opportunity to kill Oswald, I would do it."

Mr. GRIFFIN. Yes. We have already—we have interviewed Alyea and that is A-l-y-e-a.

Mrs. KAMINSKY. That is what—

Mr. GRIFFIN. I don't recall right now what he told the FBI or anything but they did interview him. Did Mrs. Tice contact you or did she contact one of your sisters?

Mrs. KAMINSKY. She called Eva's apartment and I answered the phone. I stayed with Eva down there. I don't remember just how long after the verdict, but she said that she didn't call previously because she had been in an automobile accident and as a matter of fact, she wasn't supposed to be in Parkland Hospital that Friday, you know. She had—

Mr. GRIFFIN. Did you ever talk to Mrs. Tice then; in person?

Mrs. KAMINSKY. Yes; Tom Alyea and Art Sinclair took Eva and me out there because we had no car.

Mr. GRIFFIN. Yes.

Mrs. KAMINSKY. And they were nice enough to take us out there.

Mr. GRIFFIN. And?

Mrs. KAMINSKY. She said it was Jack—she said later she saw him on the television and heard his voice and she says—she knows that it was Jack that she saw outside of Parkland Hospital. I believe I wrote you these things.

Mr. GRIFFIN. Yes; did you talk with Jack about that?

Mrs. KAMINSKY. We asked him once—oh, even before the—no, it couldn't have been before the trial because she called afterwards, and he couldn't remember to be very truthful. He couldn't remember being at Parkland.

Mr. GRIFFIN. He's denied that he was at Parkland. I mean, not simply out of memory. He's flatly denied that he was at Parkland Hospital.

Did this Mrs. Tice indicate to you that she had read any of the newspaper articles that had been previously written by a man who claimed he saw Jack at Parkland Hospital?

Mrs. KAMINSKY. No.

Mr. GRIFFIN. You know, there is a newspaper reporter——

Mrs. KAMINSKY. Is there?

Mr. GRIFFIN. Who wrote an article, a couple of days after Oswald was shot, and this newspaper reporter said that he saw your brother at Parkland Hospital. Now, did Mrs. Tice indicate that she had read that article?

Mrs. KAMINSKY. No; she didn't, but she did say that—that when Jack asked and—"Can someone donate a kidney or can a kidney be donated?" A man answered, "Yes, Jack," as though, you know, he knew Jack. He said, "But what nut would do it?" And Jack said, "I will." She thought this man might have known Jack.

Mr. GRIFFIN. When did she have her automobile accident?

Mrs. KAMINSKY. I think she said in January.

Mr. GRIFFIN. Well, did she tell you?

Mrs. KAMINSKY. I'm not positive.

Mr. GRIFFIN. Did she tell you why she didn't make this information known before January?

Mrs. KAMINSKY. I believe she said—well, the first thing, she didn't even want her husband to know anything about it, even when she called me. She asked me if I did call; to call before 1 o'clock, because her husband comes in from work then, 1 in the afternoon and she felt he wouldn't want her to get involved. And I—I believe—I am not positive but she never dreamt that the verdict would be such, you know. She felt that a verdict like that was so——

Mr. GRIFFIN. How old a woman did she appear to be?

Mrs. KAMINSKY. I believe in her middle forties. I thought, when I spoke to her on the phone, that she was a little, old woman, you know. Her voice seemed very weak, and I thought she might be a woman in her seventies. I was very much surprised to see her.

Mr. GRIFFIN. Was there anything about her which would indicate to you that she might not be reliable?

Mrs. KAMINSKY. No; as a matter of fact, she told me that she had worked, or been in charge of the juvenile home down in Dallas for quite awhile, superintendent or something, some fairly high capacity.

So I thought that—I took this into consideration. I thought her a person of some responsibility and, as a matter of fact, I believe she adopted several of the children from there.

Mr. GRIFFIN. She is married?

Mrs. KAMINSKY. Yes; Wilma Tice, W-i-l-m-a.

Mr. GRIFFIN. What was it that she said about her job at the children's home in Dallas?

Mrs. KAMINSKY. That she had—I just don't know what capacity she was employed there, but it sounds to me she was with someone—of the head of the department.

Mr. GRIFFIN. Do you remember——

Mrs. KAMINSKY. Juvenile department, children who are abandoned or orphans who are brought there.

Mr. GRIFFIN. How long did you speak with her?

Mrs. KAMINSKY. I spoke several times to her. She called that one time and spoke quite awhile, and I believe I called her, and then she called again, I believe, not too long ago. She's called Eve, Eva.

Mr. GRIFFIN. What else did she tell you about her background of herself?

Mrs. KAMINSKY. Not too much.

Mr. GRIFFIN. Did she tell you how she happened to go out to Parkland Hospital?

Mrs. KAMINSKY. I don't know.

Mr. GRIFFIN. Did she tell you whether she went alone or with somebody else?

Mrs. KAMINSKY. No; I know that she didn't want her husband to know she had been there. That she mentioned. I guess she wasn't supposed to drive or something.

Mr. GRIFFIN. Did she have any children of her own other than the ones she claims she adopted?

Mrs. KAMINSKY. I don't believe so; I don't believe so.

Mr. GRIFFIN. Did she actually tell you she had adopted children?

Mrs. KAMINSKY. Yes.

Mr. GRIFFIN. Did you ever meet her husband?

Mrs. KAMINSKY. No; I didn't. We made it our business to get there and leave before 1.

Mr. GRIFFIN. Did she say whether or not she'd be willing to testify to this, at the trial?

Mrs. KAMINSKY. Yes; she would. She did. Another incident, Mr. Griffin, I can't recall Jack's cleaning woman's name—

Mr. GRIFFIN. Mrs. Pitts.

Mrs. KAMINSKY. Pitts, Clara?

Mr. GRIFFIN. Elnora.

Mrs. KAMINSKY. Elnora, yes. I believe it was she. I don't know how this came about, but we learned that while she was waiting to give her testimony, that he saw and heard the two—two of the doctors that the State was calling upon after her—now, I don't know—I was trying to figure out if they were Forrester or McKay, I just don't remember, to be truthful, that they were writing down about what they were going to say, and one of them said too, as a matter of fact, I believe we have a reporter's affidavit or what do you call it, notarization—she gave a statement and signed it.

One of them said to the other, "You are not to say that. I will tell you what to say," and these doctors followed her on the stand or in the not too far beyond her.

Mr. GRIFFIN. But you don't—she didn't tell you what it was that they were talking about?

Mrs. KAMINSKY. About what they were going to say?

Mr. GRIFFIN. But there was no—there was no statement by them that neither one of them was to state that they weren't—there is no suggestion that they were concealing any evidence or anything, is there? It was just a question of who was going to say it?

Mrs. KAMINSKY. No; there was—one made the statement, "You are not to say that. Here, this is what you are to say."

Mr. GRIFFIN. But you don't—

Mrs. KAMINSKY. In other words, he was changing the other one's opinion or statement.

Mr. GRIFFIN. You don't know what it was that they were specifically—

Mrs. KAMINSKY. No.

Mr. GRIFFIN. Specifically they had in mind?

Mrs. KAMINSKY. No; but I believe a statement was taken from—

Mr. GRIFFIN. Mrs. Pitts?

Mrs. KAMINSKY. Mrs. Pitts.

Mr. GRIFFIN. Yes.

Mrs. KAMINSKY. Did Eva mention this at all?

Mr. GRIFFIN. I don't know.

Mrs. KAMINSKY. I know a statement was taken because I remember Eva said she needed \$35 or \$38 to pay for it.

Mr. GRIFFIN. Do you know about any telephone calls that your brother Jack made on the Saturday night before he shot Lee Oswald?

Mrs. KAMINSKY. No, I don't. Someone did say—well, about phoning Al Gruber. I don't know when that was, though.

Mr. GRIFFIN. Do you know about any telephone calls that he made to a man by the name of Breck Wall?

Mrs. KAMINSKY. No; never heard the name.

Mr. GRIFFIN. During the weekend of November 22d to 24th did Jack make any telephone calls to you other than the one he made on Friday?

Mrs. KAMINSKY. No.

Mr. GRIFFIN. Did you talk to him again after—

Mrs. KAMINSKY. No.

Mr. GRIFFIN. The Friday call?

Mrs. KAMINSKY. No; that was the only one.

Mr. GRIFFIN. All right; I don't think I have any more questions. I will ask you once more if there is anything else that you think you'd like to tell us.

Mrs. KAMINSKY. There's been so much. I—I can't—if you can help me, you know, pertaining to something, I mean, of course, you have asked me all you want to.

Mr. GRIFFIN. Yes.

Mrs. KAMINSKY. I can't—

Mr. GRIFFIN. Well, let me then say that if there is anything that should come to your mind after this is over, you know, we welcome anything you have to tell us. We'd be happy to hear from you. Either you can write us or call us or do what you think is best.

Mrs. KAMINSKY. The only thing that does come to my mind—I don't know—just—it must have been during the trial, when we were up to see Jack, because he said, "The policemen are lying." I mean I don't know if that's—but he did tell us that. He told us that many times. "I am telling you the policemen are lying, policemen are lying."

Mr. GRIFFIN. Did Jack ever tell you when he decided he was going to shoot Lee Oswald?

Mr. KAMINSKY. No; no, no. I'm sure that he hadn't even thought about it because Eva says Saturday afternoon he said to her, "We will go to Tippit's funeral," and she hadn't been out of the house from her surgery, and she thought, "Who wants to go to anyone's funeral. I don't know the man even though it's such a terrible thing." He said, "Well, aren't you going to go with me?" She says, "All right, I will go. I will go."

Here, he planned that for Monday. He evidently—it had been announced that the funeral would be on Monday, but I am sure he had no thought of—and I say, when he called, he says, "Maybe I will fly up to be with you," you know, meaning the family.

Mr. GRIFFIN. Yes.

Mrs. KAMINSKY. I discouraged him. You can't imagine how many regrets I have about that.

Mr. GRIFFIN. OK; well, thank you very much.

Mrs. KAMINSKY. You're welcome.

Mr. GRIFFIN. Glad that you could come in and see us.

Mrs. KAMINSKY. I hope I have been of some help.

Mr. GRIFFIN. Well, I think you have.

Mrs. KAMINSKY. OK.

TESTIMONY OF GEORGE WILLIAM FEHRENBACH

The testimony of George William Fehrenbach was taken at 9:30 a.m., on July 22, 1964, at 200 Maryland Avenue NE., Washington, D.C., by Mr. Burt W. Griffin, assistant counsel of the President's Commission.

Mr. GRIFFIN. Our normal procedure in these hearings is for me, for the examiner, to identify himself and explain to you the nature of the proceeding we are

going through and then to give you a chance to ask any questions before I actually swear you in.

My name is Burt Griffin, and I am a member of the staff of the general counsel of the President's Commission on the Assassination of President Kennedy.

This Commission was established pursuant to an Executive order signed by President Johnson in late November of last year, and also pursuant to a joint resolution of Congress.

The Commission has been directed by virtue of those official acts to investigate into and to evaluate the facts and report back to President Johnson upon the assassination of President Kennedy and the death of Lee Harvey Oswald.

The Commission has been authorized to promulgate a set of rules and regulations and which I believe were mailed to you.

Under the rules and regulations of the Commission I have been given the authority to take your deposition here today.

Our purpose in calling you in particular, Mr. Fehrenbach, is to inquire into what you may know about Jack Ruby, but also I might say, generally to obtain any information that you would have pertaining to the death of Lee Oswald or the assassination of President Kennedy.

I believe you received a letter from us?

Mr. FEHRENBACH. Yes.

Mr. GRIFFIN. Could you tell us when you actually received that letter?

Mr. FEHRENBACH. Sunday morning. The first letter. I had talked to you on the telephone, and then you told me that you wanted me here Wednesday. So by my being in business for myself I had to work all night Saturday night, and I was still there, I think it was around 9 o'clock Sunday morning the post office called and, of course, they couldn't deliver the letter to me because the building where I worked was locked, so I went to the post office and got it.

Mr. GRIFFIN. The reason I ask you is that under the rules of the Commission you are entitled to have notice 3 days in advance of your appearance before the Commission, and I would ask you if you had not received that 3-day notice whether you had, whether you were willing to waive the notice requirements to go ahead with the deposition, but I see from what you said that you did receive it 3 days in advance so we are within the rules.

Mr. FEHRENBACH. Yes.

Mr. GRIFFIN. Do you have any questions that you would like to ask before I administer the oath to you and ask you to answer questions?

Mr. FEHRENBACH. No; none.

Mr. GRIFFIN. All right. If you will then raise your right hand.

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. FEHRENBACH. I do.

Mr. GRIFFIN. Would you state for the record your full name?

Mr. FEHRENBACH. George William Fehrenbach.

Mr. GRIFFIN. Where do you live now, Mr. Fehrenbach?

Mr. FEHRENBACH. In Ashland, Oreg.

Mr. GRIFFIN. Can you tell us when you were born?

Mr. FEHRENBACH. March 8, 1926.

Mr. GRIFFIN. Where was that?

Mr. FEHRENBACH. Muncie, Ind.

Mr. GRIFFIN. How long did you live in Muncie?

Mr. FEHRENBACH. Lived in Muncie until I was 23 or 24, I believe. I could be wrong now. This is going back so far here. It would have been later than that. About 24 or 25.

Mr. GRIFFIN. Can you place that in terms of a particular year?

Mr. FEHRENBACH. It would be around 1952.

Mr. GRIFFIN. Where did you—

Mr. FEHRENBACH. I left there and went to Jacksonville, Fla.

Mr. GRIFFIN. How long did you remain in Jacksonville?

Mr. FEHRENBACH. I was in Jacksonville, Fla., for about 6 years.

Mr. GRIFFIN. Then where did you go from Jacksonville?

Mr. FEHRENBACH. To, I went back to Muncie, Ind., was going to stay there for

a couple of weeks and visit and then we were going to move on to Grants Pass, Oreg., but we ended up staying there about a year.

Mr. GRIFFIN. When was it that you first went to Oregon?

Mr. FEHRENBACH. We went to Oregon, I left for Oregon in March, I believe, it was, of 1959 or 1960, I couldn't say for sure.

Mr. GRIFFIN. You mean you arrived in Oregon in March of 1959 or 1960?

Mr. FEHRENBACH. Right.

Mr. GRIFFIN. How do you fix the year 1959 or 1960?

Mr. FEHRENBACH. Well, it was a bad year because I was in Muncie and then my mother-in-law passed away and we was there, I stayed there approximately 8 to 9 months, and there was nothing to do there. I couldn't go back in the jewelry work because there was already a jeweler there and he was pretty well established.

Mr. GRIFFIN. Don't you remember how many years you were working in Oregon?

Mr. FEHRENBACH. I was with Bob Buckmaster for 2 years, and the Bates Plywood for 2 years.

Mr. GRIFFIN. Excuse me. Let's go back. Are you now self-employed, is that correct?

Mr. FEHRENBACH. Right.

Mr. GRIFFIN. And you run a jewelry store?

Mr. FEHRENBACH. Well, I have a jewelry shop.

Mr. GRIFFIN. You have a jewelry shop, what is the name of the town in Oregon?

Mr. FEHRENBACH. Medford, Oreg., is where I have the shop.

Mr. GRIFFIN. I see; and you live in what town?

Mr. FEHRENBACH. Ashland.

Mr. GRIFFIN. How long have you been operating this shop in Medford, Oreg.?

Mr. FEHRENBACH. I bought this shop the first of March of last year; 1963.

Mr. GRIFFIN. All right. Now, prior to March of 1963, what did you do immediately prior to March of 1963?

Mr. FEHRENBACH. I was off. I wasn't working at all for about, roughly I would say around a year and 9 months due to an injury.

Mr. GRIFFIN. What kind of an injury was that?

Mr. FEHRENBACH. Well, my first injury was with Bates Plywood. I had a ladder slide out from underneath me and I just barely got to the place where I was getting around again and I was ready to go back to work again and I was bear hunting and I shot myself.

Mr. GRIFFIN. Let me ask you on the ladder injury accident what sort of injury did you sustain?

Mr. FEHRENBACH. I shot myself in the left foot.

Mr. GRIFFIN. When the ladder slipped out from under you?

Mr. FEHRENBACH. The injury there was to the right knee.

Mr. GRIFFIN. I see. So, that would have taken you back to sometime in 1962, is that right? You say you were out for 9 months or a year?

Mr. FEHRENBACH. Right.

Mr. GRIFFIN. All right. Prior to this accident, how long had you actually worked for, was it Bates and Co.?

Mr. FEHRENBACH. Bates Plywood. Let's see, I had been with Bates, I went to work for them March 8, 1960.

Mr. GRIFFIN. All right. Now, immediately before that where were you employed?

Mr. FEHRENBACH. I was employed with Buckmaster's Jewelers.

Mr. GRIFFIN. How long were you employed there?

Mr. FEHRENBACH. I was with Buckmaster, I believe it was for 1 year.

Mr. GRIFFIN. So that would have been early 1959 that you went to Oregon?

Mr. FEHRENBACH. I went to work for him, I believe it was in March of 1959.

Mr. GRIFFIN. Now, maybe if we can proceed going backward like this we can reconstruct this a little better. What did you do immediately before you went to work for Buckmaster?

Mr. FEHRENBACH. I was driving a taxicab in Muncie, Ind.

Mr. GRIFFIN. How long had you done that?

Mr. FEHRENBACH. I worked for them for about 6 months. It was the Checker Cab Co. of Muncie, Ind.

Mr. GRIFFIN. Did you leave your employment as a taxi driver and go directly to Oregon or was there a period of unemployment?

Mr. FEHRENBACH. No; I went directly to Oregon.

Mr. GRIFFIN. Did you know Buckmaster, had you had some connection?

Mr. FEHRENBACH. I had a sister living in Glendale and she had said something to Bob Buckmaster that her brother was a jeweler and I had corresponded on two or three occasions with Bob Buckmaster and he wrote to me and said he would like for me to come to work for him.

Mr. GRIFFIN. Prior to the time you were a taxi driver in Muncie, what did you do?

Mr. FEHRENBACH. I was in business in Jacksonville, Fla., for approximately—I was in business for myself but there again I don't remember—it seems like it was only 1 year because I only had books for 1 year I believe it was or possibly 2, but I think I only had the income tax record for the business there for 1 year, I believe.

Mr. GRIFFIN. Let's try to make some computations here then. You went to Oregon in about March of 1959.

Mr. FEHRENBACH. Yes.

Mr. GRIFFIN. For the 6 months previous to that you were in Muncie?

Mr. FEHRENBACH. Right, 6 to 9 months.

Mr. GRIFFIN. Which would take you back to the summer perhaps of 1958.

Mr. FEHRENBACH. Right.

Mr. GRIFFIN. In the year before that was it a year or 2 years?

Mr. FEHRENBACH. It was either a year or 2 years, I can't remember, that is when I was in business for myself in Jacksonville, Fla.

Mr. GRIFFIN. At least back until the summer of 1957?

Mr. FEHRENBACH. Right.

Mr. GRIFFIN. You were in Jacksonville, and in business for yourself. Now, how long had you been in Jacksonville before you——

Mr. FEHRENBACH. That I can tell you. I was with Underwood Jewelers for 2 years previous to when I quit and went into business for myself.

Mr. GRIFFIN. All right, that would take you back to mid-1955.

Mr. FEHRENBACH. I was with Duvall Jewelers previous to Underwood.

Mr. GRIFFIN. That takes you back to mid-1953.

Mr. FEHRENBACH. Then I went directly from Muncie, Ind., to Duvall Jewelers.

Mr. GRIFFIN. Is there any way we can establish more clearly that it was 1 year or 2 years that you were self-employed in Jacksonville?

Mr. FEHRENBACH. Well, Yes. Now, I started in my own business in Jacksonville, Fla., in October, this I remember, after I immediately left Underwood. I had two Christmases there, so it would have been roughly a year and 7 months because we left Jacksonville, Fla. after I closed my business up, we left Jacksonville, Fla., then and came to Muncie on our way to Grants Pass and then when my mother-in-law passed away why we stayed over there.

Mr. GRIFFIN. So we might add another 7 months and this would mean that you left Muncie in early 1953 or late 1952?

Mr. FEHRENBACH. I believe we will find it was around 1952 when I went there.

Mr. GRIFFIN. All right.

Mr. FEHRENBACH. The reason why I can come to this conclusion, I was called back into the service and I was in Green Cove Springs, Fla., that was in 1950 and 1951, and then I was discharged, I went back to Muncie, I went back to work for Borg Warner Corp., for a year and I stayed there approximately I believe about 8 to 9 months before we left for Jacksonville, Fla.

Mr. GRIFFIN. What branch of the service were you in?

Mr. FEHRENBACH. Navy.

Mr. GRIFFIN. Had you been in a Reserve unit, you said you were called back in.

Mr. FEHRENBACH. Yes.

Mr. GRIFFIN. So were you in military service during the Second World War?

Mr. FEHRENBACH. Yes.

Mr. GRIFFIN. When were you in the service?

Mr. FEHRENBACH. I was from June of 1944 until June of 1946, 2 years, 2 years and 1 week.

Mr. GRIFFIN. June of 1946 you got out?

Mr. FEHRENBACH. Right.

Mr. GRIFFIN. Now, are you a high school graduate?

Mr. FEHRENBACH. I am now.

Mr. GRIFFIN. I take it you have taken some work after you actually left school?

Mr. FEHRENBACH. I took the equivalence test. After I was injured I didn't know what I was going to do and I was going to go back to college and I had to take the equivalence test and pass that.

Mr. GRIFFIN. Which injury are you now talking about?

Mr. FEHRENBACH. This was after the last injury, I went and shot myself.

Mr. GRIFFIN. Hunting. How far did you go with your formal education before you first left school?

Mr. FEHRENBACH. I quit school when I was in the 10th grade.

Mr. GRIFFIN. What year would that have been?

Mr. FEHRENBACH. That would have been in 1941.

Mr. GRIFFIN. Yes.

Mr. FEHRENBACH. I would have graduated in 1944. I left school when I was in the 10th grade in order to go to work for Sam Jaffe. It would have been in 1942.

Mr. GRIFFIN. 1942. How old were you in 1942?

Mr. FEHRENBACH. I was 16.

Mr. GRIFFIN. When did you begin working for Mr. Jaffe in 1942?

Mr. FEHRENBACH. Well, it was in the summertime but I could not put the exact date on it or the exact month.

Mr. GRIFFIN. So I take it you completed your term of school in June of 1942 and then during the summer you started to work for Jaffe?

Mr. FEHRENBACH. Right.

Mr. GRIFFIN. When you began work for him did you work for him on a full-time basis?

Mr. FEHRENBACH. Yes.

Mr. GRIFFIN. What was your job?

Mr. FEHRENBACH. I was a jeweler apprentice.

Mr. GRIFFIN. What did that involve?

Mr. FEHRENBACH. That was learning to repair jewelry and diamond setting.

Mr. GRIFFIN. Were you a member of a union in connection with that?

Mr. FEHRENBACH. No.

Mr. GRIFFIN. Is there any sort of formal apprenticeship training program?

Mr. FEHRENBACH. There wasn't at that time. Now, I stayed with Mr. Jaffe until 1944 when I went into the service, and then when I was discharged in 1946 I came back, I went back to Mr. Jaffe, went back to work for him. I was there, I think a period of just a few months and then he got set up on this here training program by the Government for training veterans, and I believe I was with him for about 2 years after that.

Mr. GRIFFIN. How did you, in 1942, happen to get this job with Mr. Jaffe?

Mr. FEHRENBACH. There was a friend of mine, a Jimmie Tricker who was working for him, and Jimmie's eyes were very bad, he couldn't see to do the work, and so Sam had asked him if he knew of another young boy that would be interested in learning this work. So Jimmie told him about me and I went to him, and it worked out and I stayed with him.

Mr. GRIFFIN. Was Jimmie Tricker the same age as you?

Mr. FEHRENBACH. He was the same age as I was.

Mr. GRIFFIN. How long had he worked for Mr. Jaffe?

Mr. FEHRENBACH. Jimmie had only been there about a week or so until he found out that he couldn't see.

Mr. GRIFFIN. During this period from 1942 to 1944, did Mr. Jaffe have any other employees beside you?

Mr. FEHRENBACH. Not at that time, no.

Mr. GRIFFIN. So from 1942 to 1944 you were the only employee of Sam Jaffe?

Mr. FEHRENBACH. Right.

Mr. GRIFFIN. Where was his jewelry store located?

Mr. FEHRENBACH. The jewelry store or his jewelry shop, he didn't have a store, he had a jewelry shop at that time, was located on Walnut Street between Charles and Jackson and that is as close as I can come to it.

Mr. GRIFFIN. How large a building was it in?

Mr. FEHRENBACH. It was in a two-, three-story building.

Mr. GRIFFIN. What floor was his shop on?

Mr. FEHRENBACH. He was on the second floor.

Mr. GRIFFIN. Did he have a walk-in trade or how did he operate?

Mr. FEHRENBACH. No, I don't believe—I think he had a few friends that would come up, but his friends was a business similar to mine, it was strictly wholesale, doing jewelry work for the other jewelry stores.

Mr. GRIFFIN. Do you remember what business was located directly beneath him.

Mr. FEHRENBACH. Yes. Lawson's Jewelers were right below us, Lawson's Jewelers, and then an entrance to the building and then there was an apparel shop on the other side but I am not sure of the name of that. It could have been, I believe it was, Roth. Roth clothing store.

Mr. GRIFFIN. Now, you say you don't remember whether this was a two- or three-story building?

Mr. FEHRENBACH. It was a three-story building.

Mr. GRIFFIN. Was there anything above the shop?

Mr. FEHRENBACH. Yes, there was an union hall above it.

Mr. GRIFFIN. What union was that?

Mr. FEHRENBACH. I am not sure. There was too many unions around there. There was an automotive workers union and the plumbers union and every kind of union you can think of. But I remember it was a union hall because they used to rent it out and they used to have dances up there. I think it was around every Saturday night they would have a dance there and they had their meetings up there and then anybody who wanted to have meetings could rent the place.

Mr. GRIFFIN. Did they have any other activity up there?

Mr. FEHRENBACH. Other than just the dances and the meetings and then this is the place where all the friends of Sam Jaffe and which were, to my honest opinion were, all Communists used to meet up there.

Mr. GRIFFIN. Well now, did they have any gambling up there in that union hall?

Mr. FEHRENBACH. I had heard but I couldn't say that there definitely was.

Mr. GRIFFIN. How do you know that they had dancing up there?

Mr. FEHRENBACH. Well, I was working on Saturday night many times, we stayed open until 9 o'clock.

Mr. GRIFFIN. You say Sam Jaffe's friends used to meet up there?

Mr. FEHRENBACH. Yes.

Mr. GRIFFIN. How do you happen to know that?

Mr. FEHRENBACH. Well, this was, for the 2 years I had worked with Sam Jaffe, Morton and Herb Pazol, and Phil Jasser, Morton Standt, oh, golly, there were so many of them it is hard to remember—several of the employees from the other jewelry stores, Lawson Jaffe, of course.

Mr. GRIFFIN. Did Lawson Jaffe run Lawson's jewelry store?

Mr. FEHRENBACH. Right. He was the nephew to Sam Jaffee.

Then there was Roth, I don't remember his first name. Then there was a Pritcher, Max Pritcher, Max and Harry Pritcher.

Mr. GRIFFIN. How do you spell that?

Mr. FEHRENBACH. They were son-in-laws to Sam. One of them was a son-in-law to Sam.

Mr. GRIFFIN. How old was Sam Jaffe at this time, would you say?

Mr. FEHRENBACH. I would say roughly Sam was around 55, 60.

Mr. GRIFFIN. You say that Sam Jaffe met with his friends up in this union hall?

Mr. FEHRENBACH. Well now, all of these people were connected with businesses around Muncie, and they used to come up there at various times to talk with Sam.

Mr. GRIFFIN. To the second floor, to Sam's jewelry store?

Mr. FEHRENBACH. The second floor shop.

Mr. GRIFFIN. Yes.

Mr. FEHRENBACH. Our shop was here and, of course, we had an office over here.

Mr. GRIFFIN. We can't see the motions you are making with your hands, this man has a machine.

Mr. FEHRENBACH. The office adjacent to the shop.

Mr. GRIFFIN. Let me ask you to do this. I will give you a piece of paper and a pencil and I want you first to draw us a diagram and we can perhaps talk from the diagram.

Mr. FEHRENBACH. All right.

Our shop is here, and then Mr. Jaffe's office was here next to it. And there was a doorway here and our benches were here. The entrance into the shop was here.

Mr. GRIFFIN. All right.

Would you want to write "Jaffe's office." Would you want to indicate somewhere where the street is?

Mr. FEHRENBACH. This street was here. This was Walnut Street.

Mr. GRIFFIN. All right. Why don't you write "Walnut Street" on there.

Now, would you indicate where you, write in there, where you, mentioned the benches were.

If I can state for the record in words, what you have drawn there; you have indicated that there are two rooms to the shop, each room facing on Walnut Street.

Mr. FEHRENBACH. Right.

Mr. GRIFFIN. The larger room, which is open to the public, has benches in it and the benches run along the entire side of the room which faces Walnut Street.

Mr. FEHRENBACH. Right.

Mr. GRIFFIN. OK.

Let me mark that for identification as George William Fehrenbach, July 22, 1964, Deposition Exhibit No. 1.

(The diagram referred to was marked for identification as George William Fehrenbach, July 22, 1964, Deposition Exhibit No. 1.)

Mr. GRIFFIN. You started to draw this exhibit I think in connection with explaining how people would come into the shop and talk to him.

Mr. FEHRENBACH. Yes, the stairway from Walnut Street ran directly below us. It came out about here and they would come around this way and enter the shop.

Mr. GRIFFIN. In other words, the stairway ran up behind the shop, and they would really enter from the back side of the shop, that is?

Mr. FEHRENBACH. Right, because this was on the second floor.

Mr. GRIFFIN. Yes. There was a hallway, I take it, on the back side of the shop.

Mr. FEHRENBACH. Right.

Mr. GRIFFIN. And so that the shop was between the hallway and Walnut Street?

Mr. FEHRENBACH. Right.

Mr. GRIFFIN. Now, you say people would come in and visit in the shop?

Mr. FEHRENBACH. Yes, they would come in here. Mr. Jaffe worked at the first bench here and my bench was the second one here and they would usually go into the office but, of course, I could overhear many of the things they said when they was talking in there.

Now, to my honest opinion, I don't remember whether Mr. Jaffe ever attended any of the meetings upstairs, but they used to come up and talk about having these meetings with him.

Mr. GRIFFIN. Let's talk about particular individuals. What particular individual do you remember coming in and talking to him?

Mr. FEHRENBACH. Phil Jasser was one of the main ones.

Mr. GRIFFIN. All right now, what did Philip Jasser do for a living?

Mr. FEHRENBACH. He had a clothing store.

Mr. GRIFFIN. How often did you see Philip Jasser in the store?

Mr. FEHRENBACH. On the average they—three or four times a week.

Mr. GRIFFIN. Were you present when he talked with Mr. Jaffe?

Mr. FEHRENBACH. Yes, I was in the shop. Many times they would talk right there in the shop also.

Mr. GRIFFIN. Do you remember any conversations they had?

Mr. FEHRENBACH. None in particular. I was always taught, I mean, not to interfere with the other people's business but, of course, by overlistening and different things they would be talking about the meeting and who would be there.

Mr. GRIFFIN. What kind of a meeting did Jasser talk about?

Mr. FEHRENBACH. At that time I really didn't know what kind of meetings they were. I think—I knew they had something to do with Russia at that time. That is all I knew, and with the Communist Party. All of them——

Mr. GRIFFIN. What was said that indicated to you that it had to do with Russia?

Mr. FEHRENBACH. Because Phil Jasser, Morton and Herb Pazol, Morton Standt, Lawson Jaffe, and there was another man, Shuster, and I can't remember his first name, all these men at one time or another have talked to me trying to get me to join their party, to join the Communist Party.

Mr. GRIFFIN. Who—let me get these names. You say Standt talked to you?

Mr. FEHRENBACH. Morton Standt.

Mr. GRIFFIN. And Jasser talked to you?

Mr. FEHRENBACH. Phil Jasser was the worst one.

Mr. GRIFFIN. Who else?

Mr. FEHRENBACH. Herb and Morton Pazol had talked to me. They hadn't said too much but they had talked to me at times.

Mr. GRIFFIN. Who else?

Mr. FEHRENBACH. And Lawson Jaffe; and then Shuster.

Mr. GRIFFIN. What is Shuster's first name?

Mr. FEHRENBACH. This I can't remember.

Mr. GRIFFIN. What did he do for a living?

Mr. FEHRENBACH. He had a Shuster's Clothing.

Mr. GRIFFIN. Anybody else that you can think of?

Mr. FEHRENBACH. Well now, those were the only ones there in Muncie, Ind. Now, there were several of them that used to come from Chicago.

Mr. GRIFFIN. Before we get to that let's stay with the people in Muncie.

When was the first time that anyone of these men talked to you about what you called Russia or the Communist Party?

Mr. FEHRENBACH. The first time was shortly after I went to work for Sam Jaffe, and Phil Jasser came in there.

Mr. GRIFFIN. What did he say to you?

Mr. FEHRENBACH. Well, he was telling me how wonderful it would be if everybody made the same amount of money whether they owned the store or whether they worked for it, and I can't remember all the stuff he used to give me because he would very seldom get very far before Sam would interrupt and make him get out because Sam refused to let him talk to me if he was there.

Mr. GRIFFIN. I see. Did you get some indication that perhaps Sam didn't even want to have these political talks going on?

Mr. FEHRENBACH. I always had the feeling that he didn't like it, because now they was more or less down on Sam because of the fact that they used to fly the Russian flag in the synagogue and that was the Jewish temple there, and Sam put up a very strong protest about flying the Russian flag and said if they was going to live in the United States and be U.S. citizens then they should live by the U.S. flag, and because of that it was my understanding, whether it ever happened or not, but I have been told by two or three different ones, I can't say particularly who they were right now, they were even threatening to throw Sam out of the synagogue because of it.

And I know whenever he came up there or if he ever came in and caught them talking to me about getting on the right side of the fence and joining their party and attending some of these meetings he would immediately jump on him, make him get out and he would lecture to me for 5 or 10 minutes not to pay any attention to them.

Mr. GRIFFIN. Do you know of other young men in Muncie whom these men approached?

Mr. FEHRENBACH. No; I didn't. Not at that time I didn't know any of the other young fellows. Most of them were all of the age of Sam. Lawson was, I think, about the youngest and, of course, his sons-in-law were a little older than I. I would say they was in their late twenties.

Mr. GRIFFIN. Perhaps I should make my question a little more clear. Were there other people your age in Muncie whom, that you know of, your friends or what not?

Mr. FEHRENBACH. No.

Mr. GRIFFIN. That these men approached?

Mr. FEHRENBACH. No; none that I know of.

Mr. GRIFFIN. Had you known any of these men before you worked for Jaffe?

Mr. FEHRENBACH. No.

Mr. GRIFFIN. Was there anything that would indicate why they should have approached you about this?

Mr. FEHRENBACH. No; no reason that I know of outside of the fact I was working for Sam.

Mr. GRIFFIN. When you were first approached by these people did you tell anybody that you had been—that they had approached you?

Mr. FEHRENBACH. No.

Mr. GRIFFIN. Why was that?

Mr. FEHRENBACH. It wasn't really important to me at that time.

Mr. GRIFFIN. You have indicated that you think now that they were approaching you about joining the Communist Party. Did you at that time think that they were approaching you about joining the Communist Party?

Mr. FEHRENBACH. Yes; they made no bones about it.

Mr. GRIFFIN. What specifically did they say that would indicate they were talking about the Communist Party?

Mr. FEHRENBACH. Well, now Phil Jasser is the one who talked to me the most and he was always talking about getting on the right side of the fence, and I had asked him specifically on several occasions what he meant by the right side of the fence, and he said well, he said, join the Communist Party. He said, "Join us in this."

Mr. GRIFFIN. How did they know you were on the wrong side of the fence?

Mr. FEHRENBACH. Because I wouldn't attend the meetings, I suppose, I never—

Mr. GRIFFIN. The first time, who was the first person to ever approach you?

Mr. FEHRENBACH. Phil Jasser was the first one to ever approach me.

Mr. GRIFFIN. This must be a, as you look back, this must be an occasion that you have some recollection of.

Mr. FEHRENBACH. Yes; because I didn't know exactly just how to take it. I didn't want to jeopardize my job with Sam Jaffe and I didn't want to be rude to the man, and so, therefore, I told him that I would have to think about it, and I just kept putting him off.

Mr. GRIFFIN. What did he say on this first occasion?

Mr. FEHRENBACH. Well, the first time he talked to me it was about how nice it would be if everybody made the same amount of money.

Mr. GRIFFIN. How did he happen to start that conversation with you?

Mr. FEHRENBACH. I don't know. I was sitting there working and Sam was out, and Phil came in and he was waiting on Sam so he got to talking to me and asked me how I liked the work and I said fine, I loved it.

Mr. GRIFFIN. Were you a hardworking fellow?

Mr. FEHRENBACH. Well, I tried to be.

Mr. GRIFFIN. And what sort of wages did you get at that point?

Mr. FEHRENBACH. When I was serving my apprenticeship I was working for \$35 a week to start with.

Mr. GRIFFIN. Was that a good wage at that time?

Mr. FEHRENBACH. No; I can't say that it was a good wage, but I was learning a good trade.

Mr. GRIFFIN. Was there anything that you had said or done that would indicate that you were unhappy that you weren't making more money?

Mr. FEHRENBACH. No.

Mr. GRIFFIN. Was there anything about you or anything that you had said which would indicate, have indicated to Mr. Jasser that you might be receptive to the kind of things he was saying to you?

Mr. FEHRENBACH. Nothing that I know of.

Mr. GRIFFIN. Go ahead and tell us more about this conversation.

Mr. FEHRENBACH. Oh, he would—there were so many things there, but the main point he was trying to get across to me was this fact of everybody making more money, everybody made the same amount of money regardless of who their employer—their employer didn't actually make more money than the employees did.

Mr. GRIFFIN. At that time did he mention the Communist Party in that conversation?

Mr. FEHRENBACH. Not at that time; I would say it took approximately a couple or 3 months before he actually come around and told me then that, now my understanding were they were all Russian Jews but he didn't—I believe he called it the Fifth Party or something like that, and I didn't even know at that time what he was talking about and then I pointblank asked him why was the Communist Party, why did he consider the Communist Party so much better than our own democracy that we had here, and he said, "Because eventually," he said, "We are going to rule the entire world." He said it is bound to come.

Mr. GRIFFIN. Did he say, did he use the word "we" or did he say that they would?

Mr. FEHRENBACH. Well, the Communist Party would eventually rule the world.

Mr. GRIFFIN. Did he say the Communist Party or did he say Communist philosophy or Marxist doctrine or something like that?

Mr. FEHRENBACH. It wasn't Marxist but it seemed to me like he said the Communist Party or the Communists—

Mr. GRIFFIN. Can you be sure at this point whether he said the Communist Party or whether he said philosophy?

Mr. FEHRENBACH. Yes; I can definitely be sure he said the Communist Party or the Communist, I can't be sure whether he said the Communist Party or the Communist doctrine or what it was.

Mr. GRIFFIN. Something about Communist?

Mr. FEHRENBACH. Yes.

Mr. GRIFFIN. You are not sure whether it was the Communist Party, the Communist doctrine or the Communist philosophy?

Mr. FEHRENBACH. No; I am not.

Mr. GRIFFIN. And during these conversations what attitude had you indicated?

Mr. FEHRENBACH. I wasn't interested. They knew this.

Mr. GRIFFIN. But he continued to—

Mr. FEHRENBACH. They continued to, just little different things that would be said. I can't remember offhand.

Mr. GRIFFIN. Did you argue with him?

Mr. FEHRENBACH. No; I never argued with him. Like I said I didn't want to jeopardize my job there.

Mr. GRIFFIN. How long would these conversations last?

Mr. FEHRENBACH. Anywhere from maybe a couple of minutes to 5 or 10 minutes.

Mr. GRIFFIN. Did they all occur up there in the shop?

Mr. FEHRENBACH. Yes; they never approached me out of the shop. The only one other man that ever give me a bad time was Lawson Jaffe.

Mr. GRIFFIN. Did anybody, was anybody else—let me ask you this. Did these conversations continue after you returned from military service?

Mr. FEHRENBACH. Lawson Jaffe approached me one time after I returned from the service, and I can't remember exactly how it all come about or what it was he said, but anyway he made some reference that I would have certainly looked a lot better in a good military uniform. He said, "You looked very, very silly in that Navy uniform."

And that made me mad and I said, "Well, I suppose I should have been in the Russian Army or something." I said, "That would have probably made you

happier." He said, "Well, you would have been on the right side of the fence at least." And I said—

Mr. GRIFFIN. Who was it who said this?

Mr. FEHRENBACH. This was Lawson Jaffe. That was Sam's nephew. I said, "That is your opinion," and I said, "I will keep mine."

Mr. GRIFFIN. Was anybody else present during this conversation?

Mr. FEHRENBACH. Yes; Sam was there.

Mr. GRIFFIN. Sam Jaffe?

Mr. FEHRENBACH. Yes.

Mr. GRIFFIN. During the conversations and all the rest of the conversations that took place up in Jaffe's—

Mr. FEHRENBACH. They would always approach me whenever Sam was not there.

Mr. GRIFFIN. Shop?

Mr. FEHRENBACH. When Sam was there nobody said anything about this, concerning this, to me in any way, shape, or form.

Mr. GRIFFIN. Did you have the impression that Sam Jaffe was not in sympathy with these people?

Mr. FEHRENBACH. I had the impression that he was not in sympathy or if he was he certainly didn't want me in there. I can't say that Sam had anything against me personally because Sam treated me actually in many ways almost like a father. And I thought enough of Sam that I would have done anything for him. But like I say, he did get quite provoked on several occasions when he would come in there and catch them talking with me, especially Phil Jasser.

Mr. GRIFFIN. In the period from 1942 to 1944, did Sam Jaffe have any children who were living in Muncie?

Mr. FEHRENBACH. Yes; and this is where I got mixed up. One of them I couldn't even remember until Mr. Mullaney, the FBI there, in Oregon, told me her name, that was Rosalyn, I believe, there was the one daughter that I had never really met. Marion was married to Max Pritcher. How you spell Pritcher, I don't know.

Mr. GRIFFIN. How old was Marion would you guess?

Mr. FEHRENBACH. I would say around 28 or 29.

Mr. GRIFFIN. She was about 12 years older than you?

Mr. FEHRENBACH. Yes. I would say roughly that is about how old she was.

Mr. GRIFFIN. Now, did he have any other children?

Mr. FEHRENBACH. That was the only daughter that I knew of living in Muncie at that time. Now, where Rosalyn lived I don't know. Charlotte was living in Chicago and she was married to Seymour Jasson.

Mr. GRIFFIN. Charlotte was living in Chicago and she was living with Seymour who?

Mr. FEHRENBACH. Jasson.

Mr. GRIFFIN. How do you spell that?

Mr. FEHRENBACH. J-a-s-s-o-n; I would assume.

Mr. GRIFFIN. Did anybody besides Phil Jasser and Lawson Jaffe ever have any conversations with you about communism?

Mr. FEHRENBACH. Herb and Morton Pazol would mention it but they never—I can't actually say. Their comments would more or less be made to the place where I could hear them but not directed. I don't believe directly at me but yet it was put in such a way that I would have taken it to have been directed at me.

Mr. GRIFFIN. I take it then that all of the conversations that you had with these men occurred between 1942 and 1944 with the exception of the one conversation you had after you got out of the service?

Mr. FEHRENBACH. Well, after I got out of the service, that is when I got into the argument with Lawson, and then I believe Phil Jasser had, he had mentioned, I think on one or two occasions had said something about they had more or less after I had been in the service, they had more or less shied away from me.

Mr. GRIFFIN. When did you first come to think that these men were Communists?

Mr. FEHRENBACH. That was in either the latter part of 1946 or the early part of 1947.

Mr. GRIFFIN. Well now, before this you indicated that one of them had asked you to join the Communist Party?

Mr. FEHRENBACH. Well, you mean when I knew all of these men belonged to the Communist Party?

Mr. GRIFFIN. No; when did you know that any one of them—

Mr. FEHRENBACH. That would have been in 1942 that was shortly after I went to work for Sam Jaffe, Phil Jasser spoke to me.

Mr. GRIFFIN. You formed the opinion then that Phil Jasser was a Communist?

Mr. FEHRENBACH. Yes; I did.

Mr. GRIFFIN. Are there any of these men that you have mentioned whom you don't think were Communists?

Mr. FEHRENBACH. No.

Mr. GRIFFIN. Well now, you have indicated you didn't think Sam Jaffe was a Communist?

Mr. FEHRENBACH. Well, Sam Jaffe.

Mr. GRIFFIN. How about his son-in-law, Max Pritcher? Do you have any doubts about his being a Communist?

Mr. FEHRENBACH. No; I don't.

Mr. GRIFFIN. What makes you think he was a Communist?

Mr. FEHRENBACH. Because he was always there at the meetings; whenever they were going to have a meeting upstairs why he was always there. They would all be up there in the afternoon and they would talk about being at the meeting at night.

Mr. GRIFFIN. How many people attended the meetings that you are talking about?

Mr. FEHRENBACH. I don't know; because the days or the evenings that they had their meeting, I had never been in the building, but I would judge there must have been quite a few from the list of names that I picked up.

Mr. GRIFFIN. You never attended any of those meetings; did you?

Mr. FEHRENBACH. No.

Mr. GRIFFIN. Do you know what time the meetings took place?

Mr. FEHRENBACH. No; I couldn't tell you that.

Mr. GRIFFIN. Well, did they take place in the afternoon?

Mr. FEHRENBACH. No; they was in the evening, usually at night, anyway it was after everything was closed, after 5:30.

Mr. GRIFFIN. I see. How many of these men would come to your shop at any one time before these meetings?

Mr. FEHRENBACH. Very seldom would there be over three or four at any one time.

Mr. GRIFFIN. What would they do—what would they do when they would come into your shop?

Mr. FEHRENBACH. They would go into the office with Sam and usually talk about different ones who were going to come and things like that. Whenever they got to talking about what the meeting was about I never overheard anything like that because they usually lowered their voices.

Mr. GRIFFIN. So when they said—what you would do is see two or three men come into the shop and they would go into Sam Jaffe's office. They would have a conversation but you wouldn't know what the conversation was about?

Mr. FEHRENBACH. No.

Mr. GRIFFIN. Well now, then upon what do you base your conclusion that the meetings that you think they had upstairs were Communist meetings?

Mr. FEHRENBACH. Well, back at that time there was no actually secret among any of them to the fact—they didn't actually publicize it, don't get me wrong, but they didn't deny that they were Communists, and Sam, of course, had told me that the majority of them were all Communists.

Mr. GRIFFIN. Sam Jaffe had told you that?

Mr. FEHRENBACH. Yes; and told me not to listen to them and not to pay any attention to them.

Mr. GRIFFIN. Did he tell you that his son-in-law, Max Pritcher, was a Communist?

Mr. FEHRENBACH. Yes; he said that Max and all of them, and he said, now he says, "I don't think Max or Seymour will ever say anything to you because,"

he says, "I have given them definite orders not to say anything to you," and he said, "I don't think Lawson will ever talk to you."

Mr. GRIFFIN. Now, you don't have any knowledge, though, do you, as to whether these people were what one would call card-carrying members of the party?

Mr. FEHRENBACH. No; this I couldn't say, at least I had never seen any of them with a card or none of them had ever shown me a card.

Mr. GRIFFIN. Do you have any information that these men were doing anything other than discussing Marxist philosophy?

Mr. FEHRENBACH. No; I don't think they was—I think that is all they talked about. I know, one of the main things they used to get into the biggest argument about was who was doing the most during the war Russia or the United States, and Russia, of course, they said was doing everything.

Mr. GRIFFIN. Is it fair to say from your observations that you don't know whether there was anything more than a philosophical discussion or general discussion of political ideas taking place?

Mr. FEHRENBACH. Well, that would be the only way I could put it because I never knew of anything else that they——

Mr. GRIFFIN. You don't have any information that there was any sort of espionage or anything like that going on?

Mr. FEHRENBACH. No.

Mr. GRIFFIN. So when you make the statement that, for example, Max Pritcher was a Communist, what you are saying is that he discussed with these other men the Communist philosophy.

Mr. FEHRENBACH. Right. How so much better if they could get the United States to see their way, and I don't know, they just didn't agree with anything the U.S. Government done in any way, shape or form. This is, I suppose, one reason that turned me more or less against all of them, I mean, because that and the fact that Lawson Jaffe and everyone of them at one time or another ridiculed the United States.

Mr. GRIFFIN. Did you tell any of your friends or family about these people?

Mr. FEHRENBACH. My mother knew about it, and, of course, I suppose I said something to my father, although I was—my father and I didn't talk too much. He was never home, and I never saw him too much. And then, of course, after I was married why my wife knew about it.

Mr. GRIFFIN. Did you tell any friends about it?

Mr. FEHRENBACH. No; I didn't.

Mr. GRIFFIN. I take it that you have never reported to any government agency the fact that you thought these particular men were Communists?

Mr. FEHRENBACH. How could I prove it? The only time—but I did report at one time, and this was after I came back from the service, and I went up there one morning, I knew they was having a meeting upstairs the night before because so many different ones had come in and apparently this must have been a real rally meeting because they were coming in from Chicago and several different places and this is one of the times, this was to my opinion, to the best of my knowledge, this was the last time that I met the man that they called Jack Rubenstein, and he came in with Seymour Jasson, and one or two other men from Chicago. And the next morning when I went back to work they had taken one of the chairs out of the shop and I had to go upstairs to the hall and get the chair.

The door wasn't locked and I went in and I picked the chair up and there was a table in there. Well, there were tables down both sides of the hallway and then one across the front of the room, and there was a sheaf of papers on the table up in front where our chair was, and I didn't really pay any attention to it then until I happened to glance at it and there was a list of names and to my recollection there were two or three sheets full of names on there, and I glanced at the first few of them.

Mr. GRIFFIN. Can you describe these sheets of paper?

Mr. FEHRENBACH. Well, all it was was, I would say, typewritten paper, typewriter paper, similar to typewriter paper. It might have been a little longer.

Mr. GRIFFIN. Were the names handwritten or typewritten?

Mr. FEHRENBACH. The names were all typewritten. There were no addresses, if I remember correctly there were no addresses, and the first few names I looked

at and there was Lawson Jaffe at the top, I think he was the first one, I don't believe I can put them right directly in order and I can only remember the first four or five.

Mr. GRIFFIN. Tell us how many names were there altogether would you estimate on this list?

Mr. FEHRENBACH. There must have been 100, 150, three pages of them typewritten and how many names they could get on one page I don't know.

Mr. GRIFFIN. Tell us who the names were on the list?

Mr. FEHRENBACH. The first one I can remember there was Lawson Jaffe, Herb and Morton Pazol, Morton Standt and Shuster's name, and I can't remember what his first name was.

Mr. GRIFFIN. Did you say he was in the clothing business?

Mr. FEHRENBACH. He was in the clothing business.

Mr. GRIFFIN. Was this a garment workers union that was upstairs?

Mr. FEHRENBACH. I don't know.

Mr. GRIFFIN. Or a clothing workers union?

Mr. FEHRENBACH. I don't believe it was garment workers. The only one that I can think of that it might have been was the automotive workers union hall. I don't even know why I think that because that is the only one that I can think of that could have been up there.

Mr. GRIFFIN. What industries were there in Muncie at the time?

Mr. FEHRENBACH. Well, there was Borg-Warner Corp., Chevrolet, Delco-Remy, Ball Brothers, who made Ball fruit jars.

Mr. GRIFFIN. Is the automobile industry the big industry in Muncie?

Mr. FEHRENBACH. That was the biggest one I would say.

Mr. GRIFFIN. Were there any clothing manufacturers?

Mr. FEHRENBACH. That I don't know.

Mr. GRIFFIN. How about the electrical industry? Was there the electrical industry?

Mr. FEHRENBACH. There wasn't at that time; no, or to the best of my knowledge, there wasn't.

Mr. GRIFFIN. Any heavy industry such as steel mills or——

Mr. FEHRENBACH. No; there were several factories but like I said most of them were all either making parts for automobiles or——there was no assembly plants there but it was all——

Mr. GRIFFIN. Tell us any other names you remember on the list.

Mr. FEHRENBACH. Well, Seymour Jasson and Max and Harry Pritcher was on there, and if I remember correctly, although I can't swear to this, but it seems to me that Jack Rubenstein was on there, sixth or seventh down on the list.

Mr. GRIFFIN. What makes you think that the name Jack Rubenstein was on there?

Mr. FEHRENBACH. Well, there was another man whose name wasn't Rubenstein, it was Rosenstein, I believe, Rosenstein I had never heard of or I never met, I had heard of him but I had never met him. But Rubenstein I had met on two or three different occasions and when I seen it it more or less, I wondered at the time if he was actually a member, because he had never said anything to me concerning it. But there was a Jack, and this is one reason why I say it was Jack Rubenstein because I can't recall what Rosenstein's name was but it wasn't Jack, and this fellow's name was Jack.

Mr. GRIFFIN. What you remember most clearly is that on this list there was a man whose name was Jack?

Mr. FEHRENBACH. Right; and then the rest of it started with an "R" and there was a "stein" on the end of it and that was as far as I got. I laid it back down and I got to thinking about it and I said, "Well, Lawson Jaffe, you give me a bad time and I will just give you a bad time," so I picked it up, folded it up, put it inside my shirt and took the chair down to the shop and I thought I would give this to the FBI.

They were in Indianapolis and I suppose I should have called them long distance and told them I had it but I didn't, and Merv Collins was the chief of detectives and also my wife's uncle and I thought I would give it to him and he would give it to them so he was the man I gave it to.

Mr. GRIFFIN. What did he say?

Mr. FEHRENBACH. He said, "I will see it gets into the proper hands."

Mr. GRIFFIN. Did he indicate that he knew about this?

Mr. FEHRENBACH. He didn't seem at all surprised. But he said, "I will see that these get into the proper hands." I told him what I thought this was or what they were, I believe this was a muster list of the Communist Party that have been holding meetings here and I said, "I know this." I said I have known of several meetings and they have had and I said I have heard them when they all come up that they were holding a meeting that night and I said I went up there and this list was on the table and I said I thought they ought to be given to the proper authority and he said, "I will see that it gets into the proper hands."

Mr. GRIFFIN. How long did you retain that list before you gave it to Mr. Collins?

Mr. FEHRENBACH. I put it in my shirt and I think that was about, it must have been around, 9 o'clock in the morning, between 9 and 9:30, and then I went out of the shop, just shortly thereafter because it was burning a hole in my belly, the thing was. I knew I didn't want to hold onto it and so I made the excuse of getting out of the shop and going for a cup of coffee, I can't remember what it was that I told Sam I was going to do, so I took it directly from there over to Merv Collins and back to the shop. Just so I got it off my—that is all I was worried about.

Mr. GRIFFIN. And when was the next time that you had occasion to think about the names that were on that list?

Mr. FEHRENBACH. Well, actually I regretted, and I still regret in a way that I didn't actually take time to look, read all the names but I didn't. All I did was look at the first few and seen who they were and now these were boys who had at one time said something to me or indicated that they were Communists, and so I just figured they all were. And I figured if it was given to the proper authorities they could investigate and find out for themselves or find out for sure.

Mr. GRIFFIN. Did you ever inquire of Mr. Collins what had become of that list after you gave it to him?

Mr. FEHRENBACH. No, because actually, I don't believe there was any law against the Communist Party at that time unless they was doing actually sabotaging or teaching the violent overthrow of the Government or something like that and as far as I know none of these men were practicing anything like that.

Mr. GRIFFIN. Now, at the time that in the late forties and early fifties when the country was very interested in these kind of activities, Senator McCarthy and people in the Congress were active in this, is there any reason why at that time you didn't make known your experience in Muncie?

Mr. FEHRENBACH. No, I had turned the list in, and so I just took it for granted if they wanted to talk to me about anything about it that they would have contacted me, and it never dawned on me, that Merv never turned it over to the FBI.

Mr. GRIFFIN. You were in Muncie——

Mr. FEHRENBACH. Yes.

Mr. GRIFFIN. Back in the period from 1948 to 1952, isn't that right?

Mr. FEHRENBACH. No; 1950, 1950, and 1951 was back in the service at Green Cove Springs and then I came back and I was there for the rest of 1951, and I believe it was in 1952 when we moved to Jacksonville, Fla.

Mr. GRIFFIN. All of the late forties you were in Muncie?

Mr. FEHRENBACH. Yes.

Mr. GRIFFIN. And for a while in 1952 you were in Muncie?

Mr. FEHRENBACH. Yes.

Mr. GRIFFIN. Now, you were aware of what information was being developed by the Communist Party in Muncie, at that time, weren't you?

Mr. FEHRENBACH. I don't understand.

Mr. GRIFFIN. During this period in the late forties and the early fifties when Senator McCarthy and other people in the Congress were very interested in

Communist activities throughout the country, I take it you were paying attention to what information they were developing about Muncie, if any?

Mr. FEHRENBACH. Well now, for about a year and a half, 2 years directly, let's see, that would have been latter part of 1948, 1949, and 1950, until I was called back in the service, I was working with Warner Gear and I wasn't actually in contact with them so I didn't know what they were doing at that time but I know nothing actually developed out of the list so I assume they knew who they were, and that I just felt that I had done what I should have done, and so if they wanted to talk to me they could have and I never brought it up.

Mr. GRIFFIN. To your knowledge, has the House Un-American Activities Committee or any other committee of the Congress conducted an investigation into Communist activities in Muncie?

Mr. FEHRENBACH. Not to my knowledge; no.

Mr. GRIFFIN. Now, during this period when the Congress was very interested in this, were you attentive to whether or not they were investigating Muncie?

Mr. FEHRENBACH. Yes. I often wondered why nothing ever came out of what they was doing there in Muncie.

Mr. GRIFFIN. I am wondering why then at that point you didn't make known to somebody the fact that you had information which led you to believe that there was a Communist Party group in Muncie?

Mr. FEHRENBACH. Because I had already turned the list in and I felt I had already informed them that they were there.

Mr. GRIFFIN. I see.

Mr. FEHRENBACH. You see this is what I didn't know until just recently, that Merv Collins never turned the list over to the FBI.

Mr. GRIFFIN. How did you find that out?

Mr. FEHRENBACH. Mr. Mullaney said there was no record of that list ever being turned in.

Mr. GRIFFIN. I see.

Mr. FEHRENBACH. Now then, I will also tell you this now. At the time my wife and I was talking about it the other day, shortly after I turned this list in, we used to have—my wife and I lived out in the country, we had our first child at that time, and there would be somebody, sometimes there was one, sometimes there was two or three men in a car, used to park out in front of our house and they would sit out there sometimes as high as an hour to maybe 3 or 4 hours, and very seldom under an hour, and we had called, my wife mentioned this the other day when I told her that the list had never been turned in, and she says, "Well, do you reckon he could have been a member?" And I said I didn't know.

Mr. GRIFFIN. This is Collins?

Mr. FEHRENBACH. Yes. It never occurred to me, her own uncle, and I said it never occurred to me. She says, "You know, we used to call him and tell him these fellows were following you home and sitting out in front at night and he used to say it was just a paperboy, not to worry about it."

Mr. GRIFFIN. Excuse me, who were the people who were following you home? I didn't get that.

Mr. FEHRENBACH. I had no idea, I never recognized any of them.

Mr. GRIFFIN. How long would this continue?

Mr. FEHRENBACH. It went on, I would say, for a period of, I would say 5, maybe 6 months that this went on.

Mr. GRIFFIN. When was this approximately?

Mr. FEHRENBACH. This was in 1947 or 1948, let's see, the oldest boy was born, it was and he was born because we had the baby and he was just a baby at that time. He was born in June of 1947, so it would have been from June on up until about Christmastime.

Mr. GRIFFIN. What led you to believe that they were following you?

Mr. FEHRENBACH. Well, it was quite obvious. When I left town the car would leave right behind me, follow me all the way out into the country, down the same roads and everything and when I pulled in the drive the same car would go on past the house, turn around and come back and then park.

Mr. GRIFFIN. How close to your house would it park?

Mr. FEHRENBACH. Well, right in front of it usually.

Mr. GRIFFIN. What was across the street?

Mr. FEHRENBACH. Just, there was a barn lot across the street.

Mr. GRIFFIN. A barn lot?

Mr. FEHRENBACH. Yes; just nothing but a field across the street.

Mr. GRIFFIN. I see. Did you ever get a look at these people?

Mr. FEHRENBACH. No; every time I would—I used to get quite provoked at them sitting out there and there would be several occasions when I would go out of the house and go toward the car and ask them what they were doing, but every time I started out the driveway they would leave. So, I actually never got a good look at any of them.

Mr. GRIFFIN. Why do you think these people were following you?

Mr. FEHRENBACH. I have no idea, but the only thing that I can figure is that they—I had been asked, I had been asked by Lawson Jaffe, I had been asked by the Pazols, and I don't know, there were several different ones, Phil Jasser, all of them had asked me at one time if I had seen any papers lying up in this office or in this union hall when I went up there, and, of course, I denied that. I didn't see anything when I went up there. All I did was went up and got the chair.

"Sam can tell you," I said, "when I came down I didn't have anything but the chair, that was all I could see, that was all I was sent up there for."

Then Sam talked to me on two or three different times and asked me, he said, "If you did take the list I am not going to tell anybody, but did you actually take the list or see it up there?" And I said, "No," I didn't even tell him.

Mr. GRIFFIN. What did they indicate that list was about?

Mr. FEHRENBACH. They didn't. They would never tell me. All they said there were two or three sheets of paper, said, "Didn't you see them laying there?" And I said, "No," I never did see them. But they would never tell me what it was all about.

Mr. GRIFFIN. Who was it besides Sam Jaffe, was it Lawson Jaffe who asked you about the list?

Mr. FEHRENBACH. Lawson, Phil Jasser, Herb and Morton Pazol had asked me. So in other words, they all knew I had been up there that morning to get this chair, and that apparently they all draw their own conclusions that I was the one who had to pick up that list. And this went on, I know, for a long time after I had picked that list up.

Mr. GRIFFIN. Was there anything about that list which would indicate that they might have all been members of some other group that wasn't a Communist group? For example, that they could all have been members of the same synagogue, it could have been a church affiliated group?

Mr. FEHRENBACH. No, there was nothing on the paper to indicate what it was about, or what they were members of. To my knowledge there wasn't, unless it would have been on one of the other pages. Like, I say, I didn't go through them.

Mr. GRIFFIN. But Sam Jaffe inquired about this list?

Mr. FEHRENBACH. Yes, Sam wanted to know, he said they are going to get a little unhappy with you because they think you have taken those papers from up there in the hall, and I said, "Well, Sam, I didn't see them when I was up there."

Mr. GRIFFIN. Well now, don't you think that—let me ask you this. Did Sam Jaffe indicate that he had anything to do with that list?

Mr. FEHRENBACH. No. He was, I think, more or less trying to find out if I had the list and if I would give these papers back to him he would see they would get back to them and they would leave me alone. I think this was the only reason why Sam wanted the list or these papers, as they kept referring to them. They never referred to them as a list, but said papers.

Mr. GRIFFIN. Were there any other papers up there beside the list of names?

Mr. FEHRENBACH. No; I didn't see them.

Mr. GRIFFIN. Go ahead, you were going to say something.

Mr. FEHRENBACH. Actually, I feel if I had had them as rough as some of them were getting about it and as nasty as they were getting about it, I would have

given them back to Sam. But I had turned them over to Merv Collins and I couldn't give them back.

Mr. GRIFFIN. You never told anybody about it?

Mr. FEHRENBACH. No, because they were getting a little nasty about it, and Lawson Jaffe came to me and said, "If I find out you took those papers I am going to cut your blooming throat," those were his exact words and they were getting to be quite nasty about it.

Mr. GRIFFIN. Were all the people who were listed on that list, were they all in the jewelry business that you knew?

Mr. FEHRENBACH. No, they was in the clothing business, in the jewelry business and Seymour Jasson, Sam's other son-in-law, was in show business of some kind in Chicago.

Mr. GRIFFIN. Seymour was in show business?

Mr. FEHRENBACH. Yes. He had, I would say, it was—anyway they knew an awful lot of entertainers.

Mr. GRIFFIN. What can you say about him, can you describe Seymour?

Mr. FEHRENBACH. Oh, he was roughly around 5'10", 5'11", and dark complexion, very handsome fellow, black wavy hair, curly hair, I guess you could call it, I believe it was halfway between curly and wavy.

Mr. GRIFFIN. Did you know a son-in-law of Sam Jaffe who had red hair?

Mr. FEHRENBACH. The only thing I can remember about Max Pritcher was he was short and fat but I don't remember whether he had black hair or red hair. But it seems to me there was one that used to come up there with red hair but now who he was, I don't know. It looked odd to me because I knew he was definitely Jewish, and he had red hair, and—but I can't remember who he was or Rosalie or Rosalyn, I can't honestly say I ever met her husband, in fact I don't even remember her.

Mr. GRIFFIN. The only two you remember are Marion and Charlotte?

Mr. GRIFFIN. How often did you meet Seymour?

Mr. FEHRENBACH. Seymour used to come down, Seymour and Charlotte used to come down, quite often, oh, I would say in a period of once every couple or 3 months they would come down.

Mr. GRIFFIN. So you might have seen him a dozen times?

Mr. FEHRENBACH. At least a dozen times.

Mr. GRIFFIN. Now, on the occasions that they came from Chicago to Muncie, did they ever bring any friends with them?

Mr. FEHRENBACH. Yes. There was, usually when they came down there was, anywhere from, Seymour and Charlotte, and then this Jack Rubenstein had come with them on three occasions that I know of.

Whether he had ever come any more than that I am not sure.

Then there was always—whether anybody else come with them or not I don't know. Then, of course, there was this here blonde girl that this Jack Rubenstein, whether it was his wife or girl friend, who she was, I don't know.

Now, those four used to be together all the time.

Mr. GRIFFIN. Do you recall any other people?

Mr. FEHRENBACH. I don't recall any of the others that came down with them. This Seymour and this Jack Rubenstein it was my impression they were very good friends. They were both in show business or some kind of business there pertaining to entertainment.

Mr. GRIFFIN. But there were other people who came down with Seymour?

Mr. FEHRENBACH. Well, whether they actually came down with them or not I don't know but I know usually at one time or another—during the time they would all seem to be gathering up there in the shop.

Mr. GRIFFIN. And you don't remember the names of any of the other people?

Mr. FEHRENBACH. No, because I was never actually introduced to any of them.

Mr. GRIFFIN. Were you introduced to Jack Rubenstein?

Mr. FEHRENBACH. Yes, I was introduced to Jack Rubenstein, the first time I was introduced to him, I can't remember, I was working in the shop and they were in the office working, and Sam called me in there and introduced me, and somehow he asked me something about cards but I can't remember how it was that it came up.

Anyway, an ordinary playing deck of cards, and this Jack Rubenstein was quite adept at playing cards, you could shuffle the deck and hand it to him and he could still give you almost any card he wanted.

There were other things they had done. He and this blonde girl worked together. He would take a piece of paper and write your names, different dates, when you were born, stuff like that, and fold it up in four or five squares and then I would give it to Jack, and he would hold it in his hands and then this other girl would tell me exactly what I put on the paper.

How they done it I don't know. This was——

Mr. GRIFFIN. You indicated that Jack Rubenstein was in show business?

Mr. FEHRENBACH. Yes.

Mr. GRIFFIN. What led you to believe that?

Mr. FEHRENBACH. Because he had told me—now this was in, I believe on his second time that he was down there, there was some talk about Sam sending me to Chicago to work with a man there, a Mr. Levinson, I believe the man's name was, who was a diamond setter, and this was all that he done was diamond setting and Sam wanted me to go up and work with him for a few months to learn more about diamond setting.

Anyway, we were in the middle of the plans about the second time that this Jack Rubenstein came in there and when Jack came in, he acted very friendly and wanted to know how I was and this and that, and then we in the course of the conversation, why Sam said something about my coming to Chicago maybe and working for Mr. Levinson there, and Jack said, "Fine" he said, "when you come," he said, "I want you to come around to my place, and anything you want is on the house."

Mr. GRIFFIN. Indicating that he ran some sort of an entertainment place?

Mr. FEHRENBACH. Right. It was either a nightclub or tavern or something. I don't know. I never actually knew that.

Mr. GRIFFIN. I see.

Mr. FEHRENBACH. But I know Sam told me—he said, "well now," he said "there you go; you would have to sit in the back room because you are not 21," but he said "they have got peep holes and you can still see the show."

I took it for granted it was a nightclub and apparently they had some kind of a show they put on there.

Mr. GRIFFIN. Do you have any—what do you remember most about this fellow whom you called Jack Rubenstein?

Mr. FEHRENBACH. The most I remember about him was he was a very nice looking fellow. He was very jolly, and he was what I would call a real character because he was always cutting up, laughing, always jolly, very happy-go-lucky more or less, so to speak.

And as I made the comment the other day, I made it, I think on several occasions, I thought he was nuts because he didn't marry that blonde girl, because she was just about, they was two of a kind.

She was jolly, and happy-go-lucky, and I know, I was always under the impression tht she was very much in love with Jack because she just absolutely idolized him. She would never get too far way from his side and never take her eyes off him.

Mr. GRIFFIN. You refer to this man as Jack Rubenstein. How certain are you that his name was Jack?

Mr. FEHRENBACH. Everybody referred to him as Jack. But now I will say this; there is one thing that I don't understand and this is one reason why after this Jack Ruby shot Oswald, I didn't connect him because I had never heard him referred to as Jack Ruby.

Mr. GRIFFIN. How sure are you that this man you saw; his name was Rubinstein?

Mr. FEHRENBACH. Being introduced to him on two or three occasions and it was always as Jack Rubenstein.

Mr. GRIFFIN. Could it have been Rosenstein?

Mr. FEHRENBACH. No, it could not have been Rosenstein. The Rosenstein they talked about, like I said, I never met the man but I heard them talking about was in Cincinnati, Ohio, or Dayton, Ohio, one or the other and he was a very

close associate to Lawson Jaffe, and it is my impression that Rosenstein was a lawyer because I know Lawson Jaffe is the one who talked about him mostly and apparently this—he took care of legal matters or something for Lawson.

Mr. GRIFFIN. When do you believe was the first time that you ever saw the man you call Jack Rubenstein?

Mr. FEHRENBACH. The first time that I remember or that I met him, the time I was introduced to him and showed the card tricks and things was around, I believe it would have had to have been in 1943.

I went to work for Sam in 1942 and I had worked for him quite some time. Maybe he had been there before, I don't know but I don't remember him being there.

At least I had never been introduced to him.

Mr. GRIFFIN. What part of 1943?

Mr. FEHRENBACH. It must have been in the summertime, it would have had to have been in the summertime, I believe.

Mr. GRIFFIN. How do you place it then?

Mr. FEHRENBACH. By the way they were dressed because I remember when they first introduced me he looked so out of place because he had a very nice looking suit. We had—he had one of the loudest sports shirts I had ever seen in my life and I remember when he took his coat off it was a short-sleeved shirt and if I remember correctly it was a real bright red, and I know it was a very loud sport shirt and it just looked completely out of place with the suit he had on.

And that is why, was the only reason why I connect it with being in the summertime. I don't recall them having topcoats or anything.

Mr. GRIFFIN. Is what makes you remember this fellow; his clothing, his card tricks, his girl friend, or what?

Mr. FEHRENBACH. Well, I think just his; like I said he was a real character, and he was always very, very friendly. Offered to take me out to lunch whenever he was there, and in fact I did go to lunch with him one time, in fact, we went, now this is what Max Pritcher was doing, Max had the restaurant on Main Street, and I was just going out to lunch on the second time that Jack was there, and we had been up there talking and this is the time we was talking that, about me going to Chicago, and Jack said, "Fine," he said, "you can come up to my place, for an evening, you can come up there and really have a good time."

And I was——

Mr. GRIFFIN. Excuse me, was this before you went into the service or after?

Mr. FEHRENBACH. This was before I went into the service.

Mr. GRIFFIN. I see.

So, this was either in the summer of 1943 or later?

Mr. FEHRENBACH. Summer of 1943, the first time I was introduced to him and when we went out to lunch it was early in 1944 and it was wintertime at that time because I know we walked from Jaffe's to the restaurant. And we had to put on our topcoats because it was about two or three blocks away.

Mr. GRIFFIN. I want to try to focus a little bit on the time here. What possibility is there that it could have been before the summer of 1943. Could it have been in the summer of 1942 that you saw him?

Mr. FEHRENBACH. No. I don't believe so, because, for the simple reason I say this is because the second time I remember when I went out to dinner with him it was in the wintertime and I know it hadn't been too long that he had been there because if it had been too long I wouldn't have remembered him but I did remember him when he came in, so I don't believe it could have been over 6 or 7 months, and I, thinking back, it just doesn't seem like it would have been too long. In fact, I would say it more likely would have been late summer in 1943.

Mr. GRIFFIN. Now the first time you talked with the FBI about this it was your recollection that it was in the spring of 1943. Do you recall that? At least this is what they have reported.

Mr. FEHRENBACH. As I told them, I can't remember, at the time I called them, I just couldn't remember. I couldn't go back 18 years ago or 20 years ago and actually put my finger on any definite time or place, and——

Mr. GRIFFIN. You think your recollection now as a result of this conversation we have been having is better than it was——

Mr. FEHRENBACH. I think so. Not only that but I have had a lot of time to think about this, and I am just almost certain, I mean in our conversation here that it must have been in the summer.

Mr. GRIFFIN. Of which year?

Mr. FEHRENBACH. Of 1943.

Mr. GRIFFIN. Now, you were going to tell me, I think when I interrupted you, that the second time that you met him you and he went to a restaurant?

Mr. FEHRENBACH. Right. Now the second time—I don't know if this blonde girl was with him the second time or not, it seems to me she was, but she wasn't with him when him and Seymour came up the shop or Charlotte. Yes, Charlotte was with him or came in later. Anyway——

Mr. GRIFFIN. Let me interrupt you now; are you sure on this second occasion that he came to Muncie with Charlotte and Seymour?

Mr. FEHRENBACH. Yes; he did come with them.

Mr. GRIFFIN. How do you know that?

Mr. FEHRENBACH. Because they had been talking about the trip and they had had some trouble or something, I can't remember what it was, anyway they was talking about what had happened, and then also they was talking about when they was going to leave.

Mr. GRIFFIN. Where were they going, someplace else from Muncie?

Mr. FEHRENBACH. No; they was going back to Chicago and how long they were intending to stay; I don't know. It seems to me I would say it was 3 or 4 days that I seen them around there. But anyway, Jack Rubenstein and I went on to the restaurant, and we had lunch over there, and Jack paid for everything, and then just as we was leaving, why then Charlotte and Seymour came in, and then I went back to the shop and where Jack went I don't know. He went someplace else.

Mr. GRIFFIN. How did Jack happen to come to the shop without Seymour and Charlotte?

Mr. FEHRENBACH. He just walked in. To my opinion, he knew Sam quite well, I mean apparently they had been, had known each other for quite some time. So there was talk; I had heard them talking about different things that had happened before, and wanted to know how each other were and were referring to different ones, different members that they knew, or different members of each family that they knew.

Mr. GRIFFIN. Was there anything in Jack Rubenstein's conversation that indicated to you that he might have been in the jewelry business?

Mr. FEHRENBACH. No.

Mr. GRIFFIN. Was there any indication that he may have been in any business outside of show business or running a bar?

Mr. FEHRENBACH. None that I know of. At least not around me there was never anything said, because to me he was always talking about his establishment, that is what he called it, his establishment, and said he had two of the prettiest girls working for him that could be found in Illinois or Indiana, and he was quite proud of them, and I think in my opinion also he was quite a woman's man. I don't know, just the way he talked about women is where I suppose I draw that conclusion. And he was something of, like I say, of a real dandy himself. I mean he was always very well dressed, always very neat, but, like I say, that second time was the time, in fact, I wasn't even sure I wanted to go down the street with him with that bright red shirt; no, that was the first time, with that bright red shirt. It really amazed me that a man could be so well dressed and still have on such a gaudy shirt and I think, this is my first recollection of him when I met him, because anyway he acted—cutting 'up all the time and joking, and I more or less thought to myself, what kind of a nut is this guy. But now the first time he dressed quite gaudy, the second time he was very well dressed, and the last time I saw him which was in, it was either in 1946 or 1947, I don't recall which, there was after I came back from the service, him and Seymour and Charlotte came back up there, and this time the blonde wasn't with him, I don't think, at least I don't recall seeing her now, and he was very cool. He wasn't the same Jack Rubenstein that I had known before.

Mr. GRIFFIN. Do you have any explanation for that?

Mr. FEHRENBACH. I have none. I mean he was decent but he wasn't just his jocular self, always joking and cutting up.

Mr. GRIFFIN. When approximately was this when you saw him, 1946 or 1947?

Mr. FEHRENBACH. It was 1946 or 1947. It was after I had came back from the service and had gone to work for Sam.

Mr. GRIFFIN. When did you get out of the service?

Mr. FEHRENBACH. In 1946.

Mr. GRIFFIN. Do you remember when it was?

Mr. FEHRENBACH. June 21 when I was discharged. I was off about 2 weeks and went back to work for Sam. Now one thing that I hadn't remembered or hadn't said anything to the boys there in Medford was there was, and I didn't remember it until the other day when they brought it up, actually, I don't place any connection on it, he called me and asked me if there was ever any other employees of Sam's. Before I went in the service I was the only employee. When I came back from the service, Sam had expanded, he had opened up, I guess I should put this on here.

Mr. GRIFFIN. That is all right.

Mr. FEHRENBACH. Well, he had opened up.

Mr. GRIFFIN. Did he open up something behind you?

Mr. FEHRENBACH. A jewelry store; he was doing retail jewelry.

Mr. GRIFFIN. You are indicating on Exhibit No. 1?

Mr. FEHRENBACH. Yes.

Mr. GRIFFIN. Was this new store he opened up adjacent, directly connected with it?

Mr. FEHRENBACH. Yes.

Mr. GRIFFIN. Would you draw it?

Mr. FEHRENBACH. His jewelry store came out here, this part was exactly the same.

Mr. GRIFFIN. Would you draw on Exhibit No. 1 what he opened up in 1946 or 1947 and then indicate by some sort of language on the diagram that this was a new addition and the date that it was opened?

Mr. FEHRENBACH. The date it was opened I don't know, but when I returned in 1946 he had it.

Mr. GRIFFIN. All right. Why don't you say new addition by time you returned from service.

Mr. FEHRENBACH. Do you want me to put retail jewelry store?

Mr. GRIFFIN. Yes; why don't you do that?

Mr. FEHRENBACH. Because he was wholesale before that.

Mr. GRIFFIN. All right. Now go ahead with what you were going to say about that.

Mr. FEHRENBACH. After I came back from the service he had this retail jewelry store and there was a lady working for him by the name of Marie Shaw. She took care of the books for him and done some selling, I believe. Sam, in the meantime, had taken another boy in, was teaching him jewelry work, and his name was Bill Miller.

Now Bill didn't stay there very long, approximately, I think, if I remember correctly, I think Bill was only there 4 or 5 months, and then he quit, and I suppose this is one reason, I couldn't even remember the man's name the other day when Mr. Mullaney called me, I couldn't remember the man's last name. I remember it was Bill. But I had to—in fact, Mr. Mullaney called my wife and she told him what his name was, Bill Miller.

Mr. GRIFFIN. Yes.

Mr. FEHRENBACH. So I didn't place any connection on him and that was the only other employee that I knew of Sam having.

Mr. GRIFFIN. Was either Shaw or Miller working there at the time you found this list?

Mr. FEHRENBACH. Yes; Mary Shaw was.

Mr. GRIFFIN. Was she aware that you had found the list?

Mr. FEHRENBACH. No.

Mr. GRIFFIN. Was she aware that Sam Jaffe was trying to get the list from you?

Mr. FEHRENBACH. I don't believe so. I don't recall if Miss Shaw was ever

around when they had questioned me at all; I can't remember she was ever around at anytime. She could have possibly been.

Mr. GRIFFIN. Was she employed there when Jack—did Jack Rubenstein ever visit the store when she was there?

Mr. FEHRENBACH. Yes; I am quite sure that she was there on the last time that I seen him. She would have had to be there—I am sure she was—because this was after I came back from the service and I don't recall Mary ever taking a vacation or anything. She was always there, maybe once or twice I remember she was off sick but I am quite sure she was there. However, I don't recall—yes; that is before, I was going to say the card tricks, I don't recall her being there but then, of course, she wasn't because he didn't have the jewelry store then but the last time he was there. I am quite sure Mary would have had to have been there unless she was off sick or something. And now that was the time, like I say, that Jack was rather distant. He came in and he spoke, and that was about the length of it.

Mr. GRIFFIN. Did he come in with anybody at that time?

Mr. FEHRENBACH. Yes; he came in with Seymour and Charlotte at that time.

Mr. GRIFFIN. How long was this before or after you found the list?

Mr. FEHRENBACH. Well, it was after I found the list but I can't remember. It could have been before, too, I just could not say for sure whether it was before or after I found the list.

Mr. GRIFFIN. Was it a matter of a couple of days or a couple of weeks before or after?

Mr. FEHRENBACH. I would say roughly it would be right around very nearly the same time.

Mr. GRIFFIN. Well—

Mr. FEHRENBACH. It could have been after. I just can't say for sure.

Mr. GRIFFIN. You don't have any recollection, I take it, or do you, that Jack Rubenstein, that you saw Jack Rubenstein on the same day that the meeting took place on which you found this list?

Mr. FEHRENBACH. No; I don't think that it was on the same day. I do remember when I seen Jack's name on that list, it struck me as rather odd because, well not actually odd either, I don't know, I just, even though that Jack came down with Seymour and he knew all the rest of them, I couldn't place him. He was so much different than what the rest of them were, and I just never connected him with being a member of the party. But now that I think about it, by seeing his name on there it must have been after I turned that list in that I seen him again.

Mr. GRIFFIN. How long after would be your best estimate. I don't want you to guess, I want you to try to give an informed estimate if you can and if you can't make any informed estimate then we should indicate it.

Mr. FEHRENBACH. I just can't remember. I just have no idea. Because it was just, like I say, he walked in, he came into the jewelry store that time, he came back through the office, poked his head around the corner and said, "Sam, how are you?" He said, "Hello, Bill," everybody else started calling me George, but he called me Bill, he said, "Hello, Bill." Seymour and Charlotte come in and Charlotte come over and spoke to me for a while and Seymour, this Jack Rubenstein, and Sam went into the other office, and Charlotte and I were talking for a little while.

Mr. GRIFFIN. I want to hand you a photograph which I have marked George William Fehrenbach, July 22, 1964, Exhibit No. 2. Would you look at that and tell me if you recognize either of the people in that photograph?

Mr. FEHRENBACH. No. He is not familiar but she is. He is a little familiar but I couldn't place the name on either one of them.

Mr. GRIFFIN. Could she be the blond girl that you recall being with Jack Rubenstein?

Mr. FEHRENBACH. If she is she is a lot older now than she was then.

Mr. GRIFFIN. Let me tell you that picture was taken in the 1940—in the 1940's rather?

Mr. FEHRENBACH. No; it couldn't have been because this other girl was, unless that is a very poor photograph, the other girl was quite slender.

Mr. GRIFFIN. Did you ever meet anyone by the name of Benjamin Kanter?

Mr. FEHRENBACH. No; that is not familiar.

Mr. GRIFFIN. I want to hand you another photograph which I have marked George William Fehrenbach Deposition, July 22, 1964, Exhibit No. 3, and tell me if you recognize anyone in that picture?

Mr. FEHRENBACH. Now these both are very familiar but I can't actually place their names.

Mr. GRIFFIN. Does that man——

Mr. FEHRENBACH. He is very familiar.

Mr. GRIFFIN. Does that man look like the man you remember as Jack Rubenstein?

Mr. FEHRENBACH. No.

Mr. GRIFFIN. Does that man look like anybody you recall having seen with Seymour and Charlotte Jasson?

Mr. FEHRENBACH. To the best of my knowledge, as I say, I can't place the name. He is very familiar but it seems to me he has been up there, it is not anybody that lived around Muncie that I remember of. But apparently it must have been one who came from Chicago. He is quite familiar. But she is not too familiar though, and yet it seems like I have seen her sometime, somewhere. But he is quite familiar but I can't put a name on him. But it is definitely not the one I remember as Jack Rubenstein.

Mr. GRIFFIN. Do you remember a person by the name of Harold Sugerman?

Mr. FEHRENBACH. No.

Mr. GRIFFIN. Do you remember a man by the name of Irwin Berkstead?

Mr. FEHRENBACH. The name is familiar but I can't associate it. I can't remember ever meeting the man. It seems the name, like I say, it seems like I heard of it but I couldn't say where.

Mr. GRIFFIN. Did you ever have any other difficulties with Sam Jaffe other than in connection with the list?

Mr. FEHRENBACH. No. I think possibly Sam was a little unhappy with me when I quit because I had quit and tried to start a shop of my own. Several of the jewelry stores around had asked me if I wouldn't start a shop up and do their work for them because they were a little unhappy with Sam because he had started a retail store up and he was a competitor and Sam always seemed like he was always very friendly but it seemed he was not the same Mr. Jaffe I had worked with before.

Mr. GRIFFIN. Did he ever accuse you of anything other than taking that list?

Mr. FEHRENBACH. And he never accused me of taking that either.

Mr. GRIFFIN. Did he ever accuse you of taking a bracelet or any jewelry?

Mr. FEHRENBACH. No.

Mr. GRIFFIN. After you left Mr. Jaffe, did you continue to work in Muncie?

Mr. FEHRENBACH. Yes; I went to work in a shop of my own and I was with Herb and Morton Pazol in their store in the basement.

Mr. GRIFFIN. You worked with the Pazols?

Mr. FEHRENBACH. I was working for myself but I was doing their work free for the rental of the space.

Mr. GRIFFIN. How long did you rent the space in the Pazol store?

Mr. FEHRENBACH. I would say approximately about 6 months. It didn't last very long because Herb and Morton and I just couldn't get along.

Mr. GRIFFIN. What was the basis of your disagreement?

Mr. FEHRENBACH. Well, they were too demanding. They thought I should do all of their work first and then do the other store's work. I don't know, I think Morton and I was the one that more or less couldn't see eye-to-eye on many things. It seemed like it would take very little for us to get into an argument. One thing, I think Morton and I got into a row was he kept bringing all these here magazines and this was this newspaper that he kept bringing down there and he would leave them in my shop.

Mr. GRIFFIN. What kind of magazines?

Mr. FEHRENBACH. The magazines I can't remember. I know I used to throw them in the waste basket when they were in there but this one newspaper, the Daily Worker or something to that effect, and I was always complaining about him coming down there and he would always come down and nibble around my bench, moving things around on me, whether he knew anything about a jeweler

or not, this is just something we cannot tolerate because we know where everything is laying on our bench, and Morton had a very bad habit of coming down and moving things and then he would always bring these papers down and we was always constantly in it so I just got to the place where I couldn't get along with him, so I just quit.

Mr. GRIFFIN. Where did you move to after that?

Mr. FEHRENBACH. Well, when I quit there I went to work for Warner Gear.

Mr. GRIFFIN. Did you work for them as a jeweler?

Mr. FEHRENBACH. No; that was Borg-Warner, as a machine operator.

Mr. GRIFFIN. I see. Did you believe at the time you were working for Borg-Warner Gear or Warner Gear, that Morton Pazol was a Communist?

Mr. FEHRENBACH. Well, I would assume he was. He was before.

Mr. GRIFFIN. Well now this newspaper that he was receiving, was that some sort of, did it appear to be a Communist newspaper?

Mr. FEHRENBACH. It appeared to me because like I say I used to throw all the magazines in the waste basket and I threw a couple of the papers away and he gave me the devil. And I wondered what was so important, and I read one of them and here again this newspaper, it seemed to me like it was the Daily Worker and it was blasting the U.S. Government for this and for that and was running the President and everything down in the Government.

Mr. GRIFFIN. When you say he was leaving these, he wasn't leaving it for anybody to pick up? Was he leaving it for the trash collector?

Mr. FEHRENBACH. No; he was leaving it for me because no outside people could come into my shop but I believe he was leaving them for me because he believed I would read them. They never said anything to me, after I came back from the service Herb or Morton never said anything to me about the party in any way, shape, or form. In fact, if I remember correctly, Herb and Morton treated me about as nice as any of them in Muncie, Ind., after I came back from the service. In fact, they were much friendlier than the rest of them were.

Mr. GRIFFIN. The rest of them meaning?

Mr. FEHRENBACH. The rest of them, the other people, acquaintances that I knew through Sam before I went into the service. Then not only that, after I turned that list in, I think this is one reason why Morton and I couldn't get along because it seemed like even Herb it didn't take too much before they would find some reason, any reason, to start complaining, and—

Mr. GRIFFIN. But after you took the list from them, they still rented out space in their store to you in the building?

Mr. FEHRENBACH. Yes; they did. Like I say that blew over, and then on, I don't know, I could say that list was forgotten about as far as I was concerned, I mean nothing ever had been said about it for sometime and Herb and Morton continued to be, they were a little cool for a while but then they become very friendly again, in fact, Herb and Morton actually lent me enough money to start this shop. I had some money of my own and they put up the rest of it, and then I can't recall what happened or how it happened or anything about it. It was something about that list came up again after I had been with Pazols for about 3 or 4 months, it was shortly after I was there, and then, well, I know Lawson came down here, and he told me that he frankly thought I was a no-good bum because I had quit Sam and went to work for competitors and two or three stores had started sending me work that they used to send to Sam, and he said not only that, he says, "I happen to know for a fact you were the one who took that list or those papers at the meeting." He said "papers" and he didn't say "list." Herb and Morton were both there and it was right after that that they become very cool. Herb stayed very social but Morton, like I said, it didn't take very much for him to get started again.

Mr. GRIFFIN. Do you recall that bingo games were held up in that third floor?

Mr. FEHRENBACH. Yes; they used to have bingo games up there, too.

Mr. GRIFFIN. Did the Jaffes attend these bingo games?

Mr. FEHRENBACH. I don't believe so.

Mr. GRIFFIN. Did the Pazols attend?

Mr. FEHRENBACH. No; not that I know of.

Mr. GRIFFIN. Would you have any knowledge, would you know if they did?

Mr. FEHRENBACH. I believe there would have been something said about it if they had.

Mr. GRIFFIN. When did the bingo games usually start?

Mr. FEHRENBACH. I couldn't say because I never went to any of them myself but I would say somewhere around 7 o'clock, because it seems to me we had worked late a few evenings and I knew when they was going on up there, but after it did get started we usually quit because there was so much noise you couldn't hear anything.

Mr. GRIFFIN. Was the union occupying that third floor after you got back from the service?

Mr. FEHRENBACH. All I remember they said it was a union hall, but I don't remember ever a union meeting being up there and I don't remember what union it was.

Mr. GRIFFIN. It was really just a big hall. It wasn't offices for any union or anything?

Mr. FEHRENBACH. No; it was just actually one great big hall.

Mr. GRIFFIN. I see. Do you know, do you recall, that they made some arrests up there on the third floor in connection with some of those bingo games?

Mr. FEHRENBACH. No; unless it would have been done late at night and I just didn't hear anything about it. I don't recall anything being done up there. I recall, it seems to me, to the best of my knowledge, the best I can remember, I think they finally stopped it because the ministerial alliance there was going to complain about it. But whether there was ever any arrest made up there oh not, I don't believe so.

Mr. GRIFFIN. Did Sam Jaffe ever tell you that he had an aunt and uncle who were killed by the Communist in Poland?

Mr. FEHRENBACH. No.

Mr. GRIFFIN. You don't remember anything like that?

Mr. FEHRENBACH. I don't remember Sam ever talking about Poland. The only thing he ever talked to me about was the Russian people. He never told me how they lived or anything. I had always got the impression that he could have possibly at one time been an officer in the Russian Army.

Mr. GRIFFIN. You think Jaffe was Russian rather than Polish?

Mr. FEHRENBACH. He was definitely Russian.

Mr. GRIFFIN. Yes.

Mr. FEHRENBACH. Or at least he had always said that he was. He was Russian, like he told me on so many occasions, he was Russian-Jewish.

Mr. GRIFFIN. During the time that you worked there for Jaffe in 1946 or 1947, were you working for him on a full-time basis?

Mr. FEHRENBACH. Yes.

Mr. GRIFFIN. Did you ever work for him on a part-time basis?

Mr. FEHRENBACH. No; I think whenever I worked for Sam it was always on a full-time basis.

Mr. GRIFFIN. Was Miller working for Jaffe on a full-time basis when you worked for him?

Mr. FEHRENBACH. After I came back from the service and went back to work for Sam it seems to me that somehow we did split up there. I think maybe Bill Miller worked a half day and I worked a half day but if we did it was for a very short period of time. It didn't last very long.

Mr. GRIFFIN. Well now, was Miller hired to replace you when you went into the service?

Mr. FEHRENBACH. I assumed he was; yes, he was there when I came back.

Mr. GRIFFIN. Did he continue to work there after you left Jaffe?

Mr. FEHRENBACH. No; he quit long before I did because after I came back from the service and went to work for Sam it was to the best of my knowledge Bill was only there 3 months at the very longest. And possibly not even that long.

Mr. GRIFFIN. Why don't we take a break here?

(Short recess.)

Mr. GRIFFIN. Do you recall that this fellow that you know as Jack Rubenstein had any nicknames of any sort?

Mr. FEHRENBACH. No; I don't recall anybody calling him anything except Jack. It was either Jack or Mr. Rubenstein and I have never heard him called as Ruby.

There is one reason after we saw it on TV it said Jack Ruby and I believe it was the day after that they came out and said his name was Jack Rubenstein, and then when—of course, they didn't have a real, I never got to see a good picture of that, until a day or so after the actual killing, that when it came out his name as Jack Rubenstein, I don't remember if I heard the radio, TV, or saw in the paper or what, I mentioned it to my wife and I said I knew a Jack Rubenstein one time, she said maybe it is the same man and I said why, I don't think so. That was in Texas and this was back in Indiana and he was from Chicago. Then when they had a picture of him on TV, it was a pretty good picture, it looked very familiar. Of course, he was a little balder then than what he was when I knew him. When I knew him he had a full head of hair, and like I say he was, he had a good muscular build. He wasn't slender. He wasn't what you would say fat but he had a good muscular build on him and a very handsome fellow. He looked like the same one I knew only considerably older.

Mr. GRIFFIN. Well, from what you saw on television, can you be positive that that was the man that you recall?

Mr. FEHRENBACH. No; no, this is what I told the boys there in Medford, Oreg. I cannot swear definitely it is the same man. He looks very similar to the one I knew only like I say somewhat older, and I actually didn't think anything about it at the time, whether there could be any connection or not until after they said he was from Chicago, Ill., and then is when I said I should call them up, and tell them that I knew a Jack Rubenstein back down there. And that he was, as far as I can remember, and as far as I know, and to the best of my knowledge, he was a member of the Communist Party at that time, or at least he was certainly thickly associated with them.

Mr. GRIFFIN. Really, but you don't know anything more about his association other than what you have told us here at this time?

Mr. FEHRENBACH. No; I did not. I never got to Chicago to see him or meet him or see his establishment; as he called it. So I don't know anything about his Chicago activities. The only thing I know is that he did come down there and it seemed like every time they came to Muncie, Ind., they would have one of these meetings, either the day before or the same day, and that there was also quite a bit of talk about this meeting they was having.

Mr. GRIFFIN. Well, were these meetings during the week or weekends?

Mr. FEHRENBACH. Usually during the week. Because Sunday I wouldn't have known anything about it. It could have been on a Sunday—no; it couldn't have been because they were talking about the meeting that night and it couldn't have been on a Saturday night, I am sure, because we would work until 9 o'clock unless they was quite late.

Mr. GRIFFIN. Now, are you sure that Jack Rubenstein and Charlotte and Seymour came down during the week and not on weekends?

Mr. FEHRENBACH. Well, usually they came on the weekend. It was usually now, as near as I can remember, there was only one time that I remember they came that there was a meeting that night. Usually they came down and spent the weekend, I don't know where they stayed, whether they stayed with Sam or Lawson or who they stayed with.

Mr. GRIFFIN. You only remember one occasion that Seymour and Charlotte came that there was what you called these meetings at night?

Mr. FEHRENBACH. Seymour, that was the second time, that was the day that Jack and I went to dinner, Jack Rubenstein, and this was during the week.

Mr. GRIFFIN. What makes you remember that there was a meeting that night?

Mr. FEHRENBACH. Because they was talking, there had been several, I don't know how many, up there during the day, they was talking about the meeting that night. They never referred to what the meeting was or where the meeting was going to be or anything about it.

Mr. GRIFFIN. What was it that made you remember the meetings on this particular night?

Mr. FEHRENBACH. You mean the second time that I met this—

Mr. GRIFFIN. Yes; I take it—

Mr. FEHRENBACH. There was a meeting that apparently had some significance because there were so many people coming in.

Mr. GRIFFIN. But that wasn't the meeting at which you found the list?

Mr. FEHRENBACH. No.

Mr. GRIFFIN. But what makes you associate a meeting, a large meeting with Jack Ruby's or Jack Rubenstein's visit?

Mr. FEHRENBACH. Well, Jack, Seymour, and Charlotte came in that day, and then there was during the day, I don't know how many others had come in, and some of them like I say were from Ohio, some of them from Chicago, Indianapolis, Indiana, and various parts, all over, and there was so many people, I was—people I had never seen before. I wasn't introduced to anybody in any way, shape, or form that day but there was certainly a lot of them running in and out. And it seemed like everybody had to come in and say hello to Sam. This is why I say apparently it must have been a large meeting.

Mr. GRIFFIN. Well, do you know, where the meeting was held?

Mr. FEHRENBACH. I assumed that it was held upstairs but I don't know.

Mr. GRIFFIN. But you don't have any information as to where it was held?

Mr. FEHRENBACH. No.

Mr. GRIFFIN. Then you don't have any information that there was a meeting on this occasion?

Mr. FEHRENBACH. Outside of what they was talking about I mean when they came in, they said, why there was one fellow, what made me know the meeting was that night, they came in just as we was leaving, Jack Rubenstein and I was leaving, and Jack said something to him about what are you doing here and he said, well he says, I came to the meeting tonight, and this is why I know there was definitely a meeting that night.

Mr. GRIFFIN. What makes you remember your eating with him, your being with Jack Rubenstein after so many years, what makes you remember your being with him on this particular occasion?

Mr. FEHRENBACH. Well, I don't know. At the time he asked me to go to lunch with him, I was under the impression that he was something of a—I never really affiliated him with the Communist Party up until at that time, and what he was it was his business; it was none of mine. Like I say, I didn't think too much about it at that time. But because he asked me to go to lunch with him, I felt pretty important, this is why I remember.

Mr. GRIFFIN. At that point though did you associate him with the Communist Party?

Mr. FEHRENBACH. Well, I more or less, I suppose knew that he was because he was coming in with Seymour and all the rest of them.

Mr. GRIFFIN. You mean you thought he was?

Mr. FEHRENBACH. I thought he was but I wasn't sure. I had no actual knowledge. I mean they never said he was or he never said in any way anything concerning the Communist Party in any way, shape, or form to me and the only way I do connect him with it is like I say when I picked up the list.

Mr. GRIFFIN. Did you ever talk with Seymour about the Communist Party?

Mr. FEHRENBACH. No.

Mr. GRIFFIN. How many times did you talk with Seymour?

Mr. FEHRENBACH. I would assume almost every time that he came in.

Mr. GRIFFIN. So you talked with Seymour at least a dozen times?

Mr. FEHRENBACH. Yes.

Mr. GRIFFIN. You wouldn't have any trouble picking out his picture, would you?

Mr. FEHRENBACH. No, I don't believe so. In fact, I think I have already identified his picture twice.

Mr. GRIFFIN. Yes.

Mr. FEHRENBACH. I think Mr. Mullaney had some pictures of him. The only thing about it is I remember him as Charlotte's husband but I couldn't put his name on it, that Jasson was the one I couldn't remember.

Mr. GRIFFIN. When he showed you a single picture of Seymour were you able to identify that picture alone?

Mr. FEHRENBACH. There was one of them that I couldn't identify. He had him in, it seems to me he was in a bathing suit. There was one of them I

couldn't identify and I couldn't tell you which one it was. Anyway he told me it was the same man.

Mr. GRIFFIN. I want to hand you what——

Mr. FEHRENBACH. I think one reason why it was so easy for me to pick out this picture of Seymour the first time was because Charlotte was also with him. That was the first picture he showed me, Charlotte and Seymour both together, but then he showed me another one of Seymour that I picked out as the same man and then he showed me another one that I couldn't identify. I think there were three pictures.

Mr. GRIFFIN. I am going to show you what I have marked for identification as George William Fehrenbach deposition July 22, 1964, Exhibit No. 4. I want to hand it to you. That is a photograph of a man. Do you recognize that man in any way?

Mr. FEHRENBACH. Yes, I know this man. I want to say that that is Jack Rubenstein but it doesn't hardly look like him.

Mr. GRIFFIN. Why not?

Mr. FEHRENBACH. Well, he is a little too heavy there, but he is muscular, heavy build, and it looks like——

Mr. GRIFFIN. What about his features, looks like Jack Rubenstein?

Mr. FEHRENBACH. His hair mainly and his eyes.

Mr. GRIFFIN. How about his nose?

Mr. FEHRENBACH. The nose is a little out of shape from the way I remember him.

Mr. GRIFFIN. What kind of a nose did Jack Rubenstein have?

Mr. FEHRENBACH. Well, it was, pardon the expression, an ordinary Jewish nose but it didn't seem like it was that big.

Mr. GRIFFIN. Yes.

Mr. FEHRENBACH. And I remember him being as something more handsomer than this fellow here.

Mr. GRIFFIN. More handsome?

Mr. FEHRENBACH. Yes, this fellow is too rugged looking and Jack Rubenstein, the one I knew, didn't look like a rough character in any way.

Mr. GRIFFIN. I am going to hand you then what I have marked as George William Fehrenbach deposition July 22, 1964, Exhibit No. 5 and I will ask you—wait, I don't want to show you that picture, let me show you a better picture. Here is a better one. I want to show you what I have marked for identification as George William Fehrenbach Exhibit No. 6, July 22, 1964.

Look at that picture and tell me if you recognize that man in any way?

Mr. FEHRENBACH. Well, now there again this looks like the Jack Rubenstein that I knew then but he is somewhat older here than when I knew him or at least according to the picture but he looks very nearly the same.

Mr. GRIFFIN. What about him is similar in that picture?

Mr. FEHRENBACH. Oh, I don't know. His whole features are all about the same except he is something older. The hair is still about the same, although his hair is receding somewhat. It seems to me like I remember him he had more hair than that.

Mr. GRIFFIN. Which picture looks more like the Rubenstein that you knew?

Mr. FEHRENBACH. I think that other one you showed me looks more like him.

Mr. GRIFFIN. Of the two pictures?

Mr. FEHRENBACH. I would say this one here putting them both together, this one.

Mr. GRIFFIN. You are talking about Exhibit No. 6 looking more like him than Exhibit No. 4?

Mr. FEHRENBACH. This one here looks more like him.

Mr. GRIFFIN. Exhibit No. 6 looks more like him than Exhibit No. 4?

Mr. FEHRENBACH. Yes. Yes, it does.

Mr. GRIFFIN. From looking at these photographs, do you have some doubts in your mind as to whether either or these—well, let's take the man in Exhibit No. 6, this one here, do you have some doubt in your mind as to whether this man might be a man who is different from the Jack Rubenstein you knew?

Mr. FEHRENBACH. Yes. I don't know when this picture was taken but like I

say, it does look very familiar or he looks familiar to the same Jack Rubenstein I know only he does look older here than when I remember him.

Mr. GRIFFIN. Other than that, is there any doubt that you might have that these two people might be different people?

Mr. FEHRENBACH. Well, this man, I can't see the body of him too well but he looks like he may be just a little heavier—of course, I can't tell by his height there but he does look like he might be a little heavier than the one I knew.

Mr. GRIFFIN. I am going to show you what I have marked for identification as George William Fehrenbach deposition July 22, 1964, Exhibit No. 5.

Take a look at that man in that picture and tell me to what extent does he look like the Jack Rubenstein that you knew?

Mr. FEHRENBACH. If this is Jack Rubenstein here he is much older now than when I knew him, much older.

Mr. GRIFFIN. The man here in this picture, does he look substantially different from the man that you remember as Jack Rubenstein?

Mr. FEHRENBACH. Yes, he does. There is a vague familiarness about his face, but I can't—I wouldn't want to say definitely that was the same Jack Rubenstein I know unless he had changed considerably with the years.

Mr. GRIFFIN. I want to hand you what I have marked for identification as George William Fehrenbach deposition July 22, 1964, Exhibit No. 7. This is another photograph. Would you look at the man in that picture and tell me to what extent that man resembles the man that you recall as Jack Rubenstein?

Mr. FEHRENBACH. Well, it would be very hard to say because I never remember the features, like I say, it does look similar to the Jack Rubenstein that I knew only he is much older than then plus the fact he has got a hat on. I never remember seeing him with a hat, but—and somewhat heavier, much heavier, in fact than what he used to be.

Mr. GRIFFIN. Well—

Mr. FEHRENBACH. But I don't know the certain way he is holding his mouth or is there some way that reminds me of the same one that I knew. He had a funny way of holding his mouth, kind of a—I don't know just exactly how you would call it—a prissy look about his mouth, and that there picture there, the last one you showed me he is holding his mouth very nearly the way that he used to hold it.

Mr. GRIFFIN. Well, on the various occasions that you saw this man how much time would you say that you spent with him?

Mr. FEHRENBACH. The second time he came there when we had lunch, I would say I spent approximately 2 hours with him that day. We was at lunch. I remember this because I was somewhat afraid that Sam was going to give me a good bawling out for being late because we were over at the restaurant for about an hour and a half, and the first time I met him, I would say it could have been 2 hours because we was there in the office, that is when they were showing me all those tricks and things, and then the third time not over 15, 20 seconds.

Mr. GRIFFIN. So a total of maybe 4 hours altogether?

Mr. FEHRENBACH. Yes.

Mr. GRIFFIN. And did you know on the occasions that you had seen Seymour Jasson about how many times would you say that you had been with him?

Mr. FEHRENBACH. With Seymour, I would say maybe 6 hours out of the 12 out of the many times he was there. We didn't spend too much time together. I think one reason why I remember the Jack Rubenstein, why this name sticks with me, and I think maybe I ought to explain this, when I worked for Sam I was young, 16, 17, and I was always given the understanding that I was a young fellow. Anybody my superior that I was to say "mister" to, I was never allowed to call anybody by the first name.

Jack Rubenstein was one of them who treated me like I was somebody. He treated me very decent and when I said Mr. Rubenstein he informed me that his name was Jack and that is the way I was supposed to address him and he was the only one of all of them that I can remember who ever told me this. In other words, he treated me very, very nicely. And also I was quite impressed when he asked me to go to dinner with him.

Mr. GRIFFIN. This time that you went to dinner with him; what did you talk about?

Mr. FEHRENBACH. Oh, we mostly talked about the jewelry, if I remember, and, of course, at that time also something came up about this Mr. Levinson and it was my impression that he knew this Mr. Levinson, and he was talking about, he said, when I got there he said, why if I didn't have a place to go, a hotel or anything to let him know and he could find me a real cheap apartment and a real nice one.

Mr. GRIFFIN. Did you talk about any political topics?

Mr. FEHRENBACH. No; it was never mentioned that I know of. The Communist Party was never mentioned in any way.

Mr. GRIFFIN. Did you ever hear Jack Rubenstein talk about political topics?

Mr. FEHRENBACH. Not to me personally, and I couldn't, I wouldn't want to say for sure that he ever did but I know there was one time when him and Seymour, Lawson Jaffe, and there was one or two others there, and they was in an argument about something, they was arguing about something about what Roosevelt was doing.

Anyway, they referred to him as everything but a President of the United States.

Mr. GRIFFIN. What was Jack Rubenstein's attitude about it?

Mr. FEHRENBACH. He agreed with them.

Mr. GRIFFIN. He was hostile to President Roosevelt?

Mr. FEHRENBACH. Yes; he was—well, I don't know if it was Mr. Roosevelt or not but it was the way the U.S. Government was doing in the war. What they was doing.

Mr. GRIFFIN. How soon—was this on the first meeting or the second meeting?

Mr. FEHRENBACH. I am not sure. I know there were several of them there on the second meeting, the second meeting I had with him when we went to dinner. When we came back, I believe it could have been on the second meeting because this is the meeting that there were so many of them came in the shop there and they was all arguing and talking about it and then they commenced to jump on Sam Jaffe and Sam carried, had a large map on the wall, and he used to keep pins in it. All the moves, every move the Russians made and every move the United States made. He had a red pin for the Russians and I don't know, a green or blue for the United States, and then I think he had another, the black pins he was using for the German Army where they were at, and every time there was news he would always jump up and go ahead and change his pins so he would know where they was at. And they came in and looked at his pins and they was saying he had it all wrong, and so forth, and so on, and they was going to change it and Sam wouldn't let them.

This was actually, if I remember correctly, this is what really brought on the argument because they got to arguing about the United States wasn't doing what they were supposed to do, and that they was lagging behind, and if they had a President of the United States that knew what he was doing that they could get this thing over with, go in there and completely wipe Germany out and take over.

Mr. GRIFFIN. They were criticizing Roosevelt because they didn't think he knew how effectively to conduct the war, is that correct?

Mr. FEHRENBACH. I think this was mainly the drift of it. This is mainly what they was arguing about. But after they went into the other office while they was talking in there there were certainly things that came up about how the administration was being run, and there was, I remember something about some law that they had passed or a resolution or something, that they was all very concerned about, that they was all quite upset about but I can't recall what it was they was talking about now.

It was something I don't know now, what it was something Congress passed or what it was, and I don't know if Jack Rubenstein entered into that conversation or not.

It seemed like I heard his voice once or twice, then like I say I am not sure. There were so many in there I couldn't know who was talking.

Mr. GRIFFIN. Was Mr. Shuster ever associated with Jack Rubenstein?

Mr. FEHRENBACH. Not that I know of. I mean he could have known him and he could have been up there sometime when he was there, I don't know. There was usually so many in and out that I never really—I couldn't really say.

Mr. GRIFFIN. Did you ever see Mr. Jasser talk with Jack Rubenstein?

Mr. FEHRENBACH. Phil Jasser; yes, many times.

Mr. GRIFFIN. Did you ever see Mr. Standt talk with Mr. Rubenstein?

Mr. FEHRENBACH. Morton Standt usually came up. Bill Jasser, after Seymour and them would come in from Chicago, Lawson Jaffe was the first one to come up or usually he would come up with them.

Mr. GRIFFIN. I am asking you, Jack Rubenstein was only there on one occasion that you recall when they had a meeting?

Mr. FEHRENBACH. Yes.

Mr. GRIFFIN. All right. And my question to you is, do you ever recall that Mr. Jasser talked with Rubenstein?

Mr. FEHRENBACH. Yes. Phil Jasser used to come up.

Mr. GRIFFIN. But did he talk with Rubenstein on this one occasion?

Mr. FEHRENBACH. I don't know as he actually came up and talked to Jack Rubenstein personally but he would come up and him and Seymour and Rubenstein and Sam Jaffe were always in the same office and Lawson Jaffe.

Mr. GRIFFIN. You say all would be, as if it happened a number of times but there was only one occasion when you mentioned that Rubenstein came in and you had any idea that there was a meeting afterward or there might have been a meeting afterward.

Mr. FEHRENBACH. What I mean is when they would come up there to the office shortly after they would get there the rest of them would come in on various occasions. Usually when they came in they would spend anywhere from 1 to maybe 3 or 4 hours or maybe all afternoon in Sam's office.

Mr. GRIFFIN. But, you see, the first time you tell me that Rubenstein came he was only there for a short while, a couple of minutes, and the next time that he came you think he was around for a couple of hours, and the next time—

Mr. FEHRENBACH. The next time he came in he was there quite awhile in the afternoon. This was when so many of them were in.

Mr. GRIFFIN. The next time he came in he spent the 2 hours with you?

Mr. FEHRENBACH. The second time is when he spent the 2 hours, hour and a half with me when we went out to dinner.

Mr. GRIFFIN. The second time. I see. The first time he came how much time did he spend?

Mr. FEHRENBACH. The first time I can't recall exactly how long he was there that first time. All I remember is I couldn't actually say how long but there was several different ones came in.

Mr. GRIFFIN. Well, now—

Mr. FEHRENBACH. So he could have been there 15, 20 minutes, a half hour, maybe an hour, 2 hours.

Mr. GRIFFIN. Were there other people who visited Sam Jaffe regularly from out of town?

Mr. FEHRENBACH. No. The only ones I actually recall out of town that used to come up there was just his son-in-law, Seymour.

Mr. GRIFFIN. You don't know anybody else who visited him from out of town?

Mr. FEHRENBACH. There were others who came in but I can't recall any of their names and they never came regularly, I mean never long enough for me to be introduced or anything like that that I could actually place.

Mr. GRIFFIN. Were there any salesmen who called on Sam Jaffe?

Mr. FEHRENBACH. Oh, yes; we had salesmen coming in all the time.

Mr. GRIFFIN. Do you remember any of their names?

Mr. FEHRENBACH. I don't recall any of their names. I mean, this was strictly business and Sam took care of the ordering and everything.

Mr. GRIFFIN. Were there any customers who came in regularly?

Mr. FEHRENBACH. Outside of the jewelry store we were doing work for; no.

Mr. GRIFFIN. Didn't have any business off the street?

Mr. FEHRENBACH. Not that I recall of. If he did, I mean it was something that I would know very little about, and as a matter of fact, he wouldn't let me know because he wouldn't want the other jewelry stores to know.

Mr. GRIFFIN. Do you have anything else that you haven't told us or we haven't covered already that you think is pertinent to this matter?

Mr. FEHRENBACH. No. I think this is everything that I can remember to the

best of my ability and knowledge right now. I know since I first told the FBI there in Medford about this that I thought it could possibly be the same man, the wife and I have talked it over on many occasions, and I have racked my brains trying to think of anything else that would be pertinent to it but I—

Mr. GRIFFIN. You used the phrase that it possibly be the same man?

Mr. FEHRENBACH. Yes. I told the FBI in Medford that I could not definitely swear it was the same man but his facial features and things leads me to believe that it could possibly be. And I didn't really draw that conclusion until, and it is like I told them, I couldn't actually draw that conclusion until after I had heard his name was Jack Rubenstein and he was from Chicago and then when I seen the picture of him, and it did very definitely look quite a bit like the Jack Rubenstein I knew, only somewhat older, because well I don't know, the pictures I have seen of him since he shot this Oswald, he has always been rather sloppily dressed and when I knew him he was always very well dressed.

Mr. GRIFFIN. Well, I certainly appreciate your—go ahead.

Mr. FEHRENBACH. Of course, he is a lot paunchier now then he was.

Mr. GRIFFIN. It is a number of years, 18 years have passed. I want to thank you for coming here all the way from Oregon, and helping us with this. We appreciate any cooperation we can get in this matter. I don't have any more questions, and if you don't have any more, why, we can recess, adjourn.

TESTIMONY OF EVA L. GRANT

The testimony of Eva L. Grant was taken at 2 p.m., on July 25, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Burt W. Griffin, assistant counsel of the President's Commission. Mrs. Grant was accompanied by her attorney, Mr. Phil Burleson. Mr. Ernest Conner was also present.

Mr. GRIFFIN. Let me introduce myself again for the record. I am Burt Griffin, and I am a member of the general counsel's staff of the President's Commission on the Assassination of President Kennedy.

This is the second appearance, I believe, that Mrs. Grant has made before a staff member of the Commission, and I will not repeat for you the things that are routinely said at the beginning of each one, because I know you have heard them already.

I simply tell you that the primary purpose for coming back here again to talk to you is because we would like to get in a detailed form an orderly chronological formal statement of your activities on November 22, 23, and 24.

When we have completed that, I understand that you have a good many papers that you would like to present to us, and we will be happy to take whatever time is necessary to receive those.

I am hopeful we can get through the statements of your own activities in a fairly quick and orderly fashion.

So, if you will raise your right hand, I will administer the oath to you.

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. GRANT. I do.

Mr. GRIFFIN. Would you state again for the record, your name?

Mrs. GRANT. My name is Mrs. Eva L. Grant.

Mr. GRIFFIN. Mrs. Grant, where were you when you heard that President Kennedy had been shot?

Mrs. GRANT. I was sitting in my living room.

Mr. GRIFFIN. Was anybody with you at that time?

Mrs. GRANT. Not at that time.

Mr. GRIFFIN. How did you get word, over the radio or television?

Mrs. GRANT. Pauline Hall called me on the phone, and I believe it was shortly—Pauline Hall called shortly after 12:30, at least I believe it was that, and said, "What are you doing?" And I said, "Nothing."

She said, "Turn on your television to channel 8," and I did.

She said, "Do you know that the President has been shot?"

I thought it was a—wait a minute, well, I did remark about the fact that someone is passing it around to make it look bad like you do hear some things.

MR. GRIFFIN. How long did you continue to watch television?

MRS. GRANT. Well, I had watched it earlier that morning. Wait—I knew he was going to be in town, and I watched him on television on channel 5. I think he was eating breakfast in that Texas Hotel, I believe.

MR. GRIFFIN. How long did you continue to watch television before you talked with anybody else after Pauline called you?

MRS. GRANT. Well, wait a minute, I had it on, it seems, most all of the time. I think that I went into shock or something, but I had it on, I think. Even if I didn't have it loud, I had it on. A lot of times I have the picture on and the voice real low.

MR. GRIFFIN. Now, think back to this particular day after Pauline called you. Did you go about your housework, or did you watch television?

MRS. GRANT. Well, if I remember, I had just been out of the hospital 9 days, and I wasn't doing anything outside of trying to prepare myself some food if my friends downstairs didn't bring me something up. Most days she saw that I had a hot biscuit every day. It was something else, whether it was dinner or breakfast, or if she thought I wanted something.

MR. GRIFFIN. Try to think about what you did.

MRS. GRANT. Now, let me ask you something. Do you want me to go back until the time I got up?

MR. GRIFFIN. I simply want you to tell me everything after you hung up the telephone with Pauline. Did you sit in front of your television set until you next heard from somebody else, or did you do your housework, or what did you do?

MRS. GRANT. This is what it seems to me. We talked about 5 or 6 minutes, and I kept on talking, and I may be confused about this minute, because I just couldn't accept it, and it threw me off guard, and she said, "I will call you back."

But we talked, and it seems to me he (meaning TV) kept talking about different things, and I may be wrong, but it seems to me a Federal man or security man—truthfully, I had not heard anything about the Governor. I don't remember now.

MR. GRIFFIN. By "he," you mean the person on television?

MRS. GRANT. On channel 8. At the time, he wore glasses, it seems, and had black hair.

MR. GRIFFIN. After Pauline Hall called you, who did you next speak to?

MRS. GRANT. It seems to me she was on three or four times. Wait a minute, Jack had called me, but it seemed he called me after 1 o'clock.

MR. GRIFFIN. Did you talk after Pauline called?

MRS. GRANT. I talked again to her about three times. Either I called her or she called me. I wanted to see if she had news from another station.

MR. GRIFFIN. Did all these telephone calls occur before Jack called you?

MRS. GRANT. Yes.

MR. GRIFFIN. Now, did anybody else telephone you before your brother Jack called you?

MRS. GRANT. Now, she may have called me—this girl's name is Emma Collins, who worked for us as a waitress. I think she came in on weekends. I remember she wasn't working for a couple of weeks, because I was in the hospital. It seems she may have called me during that afternoon. Whether she called me before Jack, or after, I wouldn't put my life on that. But almost 1 o'clock I was listening the best I could to channel 8, and I heard this man say distinctly, "The President is dead." I know I don't want to even think of that. I don't know what happened. I kept listening, and I don't even know what he said. I don't remember. Security, or the Governor, or I don't remember anything more. I kept listening, and it seems to me another 3 minutes—even time didn't mean anything, because, I don't know, I just don't know. He said, "It is not official." So I kept hoping. I threw myself into a fit, and I have never done the crucifixion, and I don't know which way is proper or correct, but I thought if it would help him, I would feel, well it would just help him. And he kept talking,

and it seems to me he said, "The President is at Parkland Hospital." And Pauline and I talked again, and she said, "I have to hang up." She wanted to call some friends, or her daughter. And it seems to me I already heard—it might have been 20 minutes later this time, a fellow says, "The President is dead [starts crying]. And it seems to me Jack called.

Mr. GRIFFIN. Now, Mrs. Grant—

Mrs. GRANT. Let me explain something. I have been very sick, and I was taking pills, which I showed Leon Hubert. No; someone came to my house recently, Clemmons—what is the name of that fellow? An FBI man and Hosty.

Mr. GRIFFIN. Hosty?

Mrs. GRANT. Hosty came, and I showed him the pills. I think there were 2 dozen originally. And I didn't start taking them until a few days before. I don't remember, I think the pills were given to me around the 15th or 16th of the month. I took some, and I had called Dr. Aranoff, and Dr. Bookatz. He was his associate, somebody. After I had taken the pills, I called the nurse, either Bloom or Blum or something, and I told her these pills put me in a trance. I am stiff and I can't think. And she said cut down to one every 4 hours.

Mr. GRIFFIN. Let me interrupt you a second. I want to keep on the track.

Mrs. GRANT. I want to explain, I was taking these pills. I had taken one that morning.

Mr. GRIFFIN. You were taking pills, and that is when Jack called you?

Mrs. GRANT. No. I had taken one early in the morning and went back to bed, and I took one about 4 or 5 hours later before Pauline called me.

Mr. GRIFFIN. Did Jack call you before you heard this man on television who said he thought—

Mrs. GRANT. Yes; he talked to me earlier in the morning. When I say early in the morning, it could have been 10:30.

Mr. GRIFFIN. Now, after you learned that the President had been shot, and you talked with Pauline Hall, did you then talk with Jack before you heard the man on channel 8, or after you heard the man on channel 8?

Mrs. GRANT. No; I heard the man first, because just as the—this is his word—Jack said, "Isn't that awful?"

Mr. GRIFFIN. Was Jack talking to you about the fact the President had been shot, or did he mention that the President was dead?

Mrs. GRANT. I want to tell you something. He assumed that I am listening, because he had spoken to me earlier in the morning, and he said nothing about this ad. Don't forget the ad. Even before this.

Mr. GRIFFIN. We can go back to that, but I want to—

Mrs. GRANT. He assumed and I assumed that each one knew. When he called me, I had an idea. I tell you the truth, I thought he was in the Morning News. I don't know—I thought he was. Did you ever have the feeling that the party wasn't at home?

Mr. GRIFFIN. Was there anything you heard over the telephone which indicated he was in the Morning News?

Mrs. GRANT. Well, the background. I mean, like I have heard it before, maybe. After all, I heard it many times. I don't say someone came and talked to him at the Morning News or announced themselves.

Mr. GRIFFIN. You indicated that Jack called you on an earlier occasion that day.

Mrs. GRANT. Absolutely.

Mr. GRIFFIN. All right, about what time of the morning was it that he called you?

Mrs. GRANT. It seems it could have been 10:30 or 11, or 11:30. It seems to me still before Pauline.

Mr. GRIFFIN. He called you before you knew that the President had been shot?

Mrs. GRANT. Yes; 11 a.m.

Mr. GRIFFIN. Now, let me ask you this—

Mrs. GRANT. Let me explain this. We have a lot of daily talk about the club, and our conversation was mostly about the club.

Mr. GRIFFIN. The first conversation?

Mrs. GRANT. It was about the club.

Mr. GRIFFIN. All right. Now, in the first conversation, did he mention the advertisement that had been run in the Morning News?

Mrs. GRANT. He said about three words, "Did you see the ad? Did you see this morning's paper?" And I said, "Yes."

Mr. GRIFFIN. All right. Now, in the second conversation, did he mention the advertisement in the Morning News?

Mrs. GRANT. The second time—now I am going to tell you when he came over. He was already in a fight.

Mr. GRIFFIN. I am not talking about when he came over. The second time he telephoned you.

Mrs. GRANT. Yes; he mentioned the ad.

Mr. GRIFFIN. That was shortly after you heard the man on television say the President was dead?

Mrs. GRANT. Yes.

Mr. GRIFFIN. Now, you had a telephone conversation which you thought was made from the Morning News?

Mrs. GRANT. There was evidence that it was made from there.

Mr. GRIFFIN. Did Jack say anything about the advertisement?

Mrs. GRANT. Yes.

Mr. GRIFFIN. What did he say about the advertisement?

Mrs. GRANT. You know, I have never met John Newnam personally or over the phone or anything. I was carrying on so, and I said, "You better come here." He said, "Listen." I knew I wouldn't be able to get through to him. His mind was wandering.

Mr. GRIFFIN. I don't know what you have in mind. I want to know what he said.

Mrs. GRANT. He said, "The telephones are ringing like mad." He said, "People from all over the country are calling up and canceling their ads, big companies," and this is what he said. And John Newnam did not put it in his statement. Jack went over to this fellow, and this fellow came to the phone, because I heard him say "Hello." He said, "This is my sister, and she is hysterical." I heard my brother say that to this guy.

Mr. GRIFFIN. What did you say?

Mrs. GRANT. I want to tell you with Jack—

Mr. GRIFFIN. Tell us what you heard Jack say to somebody who apparently was coming over to the phone?

Mrs. GRANT. Now, you know, whether he repeated this in the house later on or over the phone, I know this, Jack, knowing my brother, I know he can't control himself like I can, which you probably know. He said, "What the hell, are you so money hungry?" And the guy had said this to Jack, "Well, you know, Jack, I take orders from my superiors."

Mr. GRIFFIN. Did you hear the man say that over the telephone?

Mrs. GRANT. It seems to me I heard something like that.

Mr. GRIFFIN. But it could have been something Jack said to you in the apartment later on?

Mrs. GRANT. It could have been, though I know he said later on, that he was so steamed up.

Mr. GRIFFIN. About how long did that telephone conversation last with Jack?

Mrs. GRANT. Well, 10 minutes would be exaggerating.

Mr. GRIFFIN. Might have been as little as 5 minutes?

Mrs. GRANT. Could have been. It wasn't 3 minutes. From 5 to 10 minutes. I don't know.

Mr. GRIFFIN. Mrs. Grant, how long after that telephone conversation did you then either hear from Jack or see him?

Mrs. GRANT. I would say now, it seems to me, this phone call came in about 20 or 25 after 1, because I already heard it, don't forget. And it seems to me I heard it 10 minutes. Now, see, you can't depend on my timing that day.

Mr. GRIFFIN. We are not going to. Just let me worry about that.

Mrs. GRANT. Okay.

Mr. GRIFFIN. Now, listen, now, I want to find out when it was that you next either heard from Jack or saw him again?

Mrs. GRANT. I said over the phone, "You better come here." And I don't remember even what my last words on the phone.

Mr. GRIFFIN. Did you receive a telephone call from him before you saw him again?

Mrs. GRANT. This time was around 1:30, we assume. You mean from anybody?

Mr. GRIFFIN. No; from Jack now.

Mrs. GRANT. I don't think so. This was the last, because I had said you better come here.

Mr. GRIFFIN. After the telephone from the Morning News, your recollection is that the next thing was that you saw him?

Mrs. GRANT. Before 1:30, that was that call, and one other call in the morning. That was before 1:30, and we will say 11 o'clock or 11:10 or a quarter of 11.

Mr. GRIFFIN. Now, after 1:30, when did you next hear from him or see him?

Mrs. GRANT. He came over, and it may have been an hour and 15 minutes. That is what it seems to me.

Mr. GRIFFIN. Would it be as much as 2 or 2½ hours?

Mrs. GRANT. That was later. Now, he came over, because I said, "You better come here." And he knew how sick I had been.

Mr. GRIFFIN. When he came over, did he have anything with him?

Mrs. GRANT. What are you talking about?

Mr. GRIFFIN. The first time he came to your apartment on Friday afternoon?

Mrs. GRANT. He had the newspaper.

Mr. GRIFFIN. Did he have any sandwiches with him at that point?

Mrs. GRANT. No.

Mr. GRIFFIN. Now, between the time that he showed up, going backward, and the time that he called you from the Morning News, had he telephoned you?

Mrs. GRANT. Not from that last phone call.

Mr. GRIFFIN. Do you have any recollection of his telephoning you from the Carousel Club on Friday?

Mrs. GRANT. Yes.

Mr. GRIFFIN. Now, did he telephone you from the Carousel Club between the time he called you from the Morning News and the time he saw you at your house?

Mrs. GRANT. Mr. Griffin, if you don't let me tell my story my way—that is what this whole—I had told him he better come. I was sick. I was so sick. I had a major operation, and I felt I was going to fall apart. I don't know what was happening to me over there. I just can't explain it. I was operated—let me tell you—on November the 7th, so you figure, and the other doctors know about what happened.

He came over and he didn't stay long. It seems to me he stayed 5 minutes or 8 minutes or 10 minutes. He did not stay a half-hour. He said, "What do you want?" I said, "Will you get something from the delicatessen?" And he said, "I have to go back to the club." He said, "Well, did you read it?" And I said, "Yes." He left.

Now, I assume he called me from the Carousel, and I actually assume it was about an hour later, maybe, or even an hour and a half. So, I said, "When are you coming?" And he said, "Well, I will go over to Phil's Delicatessen." And I said, "Where are you?" And he said, "I am downtown." And I said, "Listen, I would rather you went to the Ritz," which is down the street. They have better food. They have fresher and better variety. He said, "I am coming right over." His "right over" came, I would say it was, after 4 o'clock. Maybe a quarter of 5. Maybe it was 5. Maybe it was even 5:15.

Mr. GRIFFIN. Could have been as late as 5:30 or 6?

Mrs. GRANT. It wasn't after 5:30.

Mr. GRIFFIN. What makes you think this?

Mrs. GRANT. Well, we were waiting for the 6 o'clock news, and it seems to me that there wasn't enough news on there. But as a rule, as little as I stay home to listen, I know there is a 6 o'clock news. By that time I heard already a policeman was shot, and he probably heard it where he was. And I remember watching television, and that afternoon it seems to me this man was Curry,

said we got the right man. He had three draft cards and a bunch of stuff. He defected. That is what it seems to me in my mind. If I could get the tape. And I was still tuned to channel 8.

Jack came in with enough food——

Mr. GRIFFIN. If I understand you correctly, when he came to your house at 2:30, at that time you mentioned to him to get some food?

Mrs. GRANT. Yes.

Mr. GRIFFIN. Then he went down to the club and called you from the club, and again you mentioned to him to get the food?

Mrs. GRANT. Because he called me to see how I was.

Mr. GRIFFIN. Had you had lunch that day?

Mrs. GRANT. Well, you can't call it—because my breakfast is coffee and cookies or something light. The neighbor could have brought me up a sweet roll. Her name is Betty Goodman. She has done things like that, and has been very kind.

Mr. GRIFFIN. Was anybody else at your apartment when Jack came back the next time?

Mrs. GRANT. Unless it was Betty. I am sure she came when I started screaming over the telephone, "The President is dead."

Mr. GRIFFIN. Did you call her on the telephone to tell her?

Mrs. GRANT. No; Pauline Hall called her and said I am having a fit or something.

Mr. GRIFFIN. Then did Mrs. Goodman come up to your apartment?

Mrs. GRANT. Yes; she was up much earlier. She came up, I think it was, 10 o'clock. That is how I got the paper, because I don't get the paper.

Mr. GRIFFIN. After Pauline Hall called and said you were having a fit, did she come up again?

Mrs. GRANT. Yes; she stayed, and well, she thinks I am very emotional or something wrong. She is of a different temperament, and she said, "Do you think you will be all right?" Now, after that, my brother came up.

Mr. GRIFFIN. But Mrs Goodman came up to your apartment after you learned that the President had died?

Mrs. GRANT. Sometime; I would say, very shortly.

Mr. GRIFFIN. How long did she remain?

Mrs. GRANT. Not too long. I think 5 minutes. Five minutes or 7 minutes. You know, not long.

Mr. GRIFFIN. How long after Mrs. Goodman, did Jack arrive?

Mrs. GRANT. This is the first time you are talking about? It could have been an hour. It could have been 40 minutes. It wasn't 3 hours.

Mr. GRIFFIN. Could it have been 2 hours?

Mrs. GRANT. I think it was a terrible day. How could anyone—I mean I can't remember.

Mr. GRIFFIN. If you can't remember?

Mrs. GRANT. Listen; that was not a normal day. First of all, I wasn't watching the clock. I wasn't watching for anything.

Mr. GRIFFIN. When Jack came back to your apartment the second time, what did he have with him?

Mrs. GRANT. Enough groceries for 20 people.

Mr. GRIFFIN. What did he have? How many grocery bags did he have?

Mrs. GRANT. He went down to the car to get another load of it. You figure it out. Six big bottles of pop, or whatever you call it. A pound of corned beef. A pound of tongue. He had four meats, a pound of each.

Mr. GRIFFIN. Did he have——

Mrs. GRANT. A pound of lox, which is smoked salmon, and some smoked fish, and he bought onions and oranges and a variety of six different kinds of cakes.

Mr. GRIFFIN. Were they things that he would have gotten at the Ritz Delicatessen?

Mrs. GRANT. All but the vegetables. He bought vegetables and fruit.

Mr. GRIFFIN. Did he tell you where he got those?

Mrs. GRANT. I didn't ask him.

Mr. GRIFFIN. Did you have a grocery store that you regularly shopped at?

Mrs. GRANT. He liked the Safeway.

Mr. GRIFFIN. Was there a Safeway somewhere near the Carousel or between the Carousel and your place?

Mrs. GRANT. There is one on Lemmon Avenue not too far from Oak Lawn.

Mr. GRIFFIN. What was the name of that store; do you know?

Mrs. GRANT. Well, I live in that neighborhood. I don't think he ever lived in that neighborhood. I don't know where he could have gotten it. I knew where the cakes and things come from because this particular place makes or handles several.

Mr. GRIFFIN. Where did the cakes come from?

Mrs. GRANT. They have little biscuits, and their rye bread is entirely different than any place in town.

Mr. GRIFFIN. Where did the cakes come from?

Mrs. GRANT. From the Ritz Delicatessen. They carry stuff like that to go.

Mr. GRIFFIN. Was there anything that you noticed that he brought back that you could identify with any other store?

Mrs. GRANT. He had a newspaper, the Times Herald. Had "The President is dead."

Mr. GRIFFIN. How long did he remain in your apartment on that occasion?

Mrs. GRANT. I know it was around 7:15 or 7:20 when he left.

Mr. GRIFFIN. About how long?

Mrs. GRANT. I would say a good 2 hours. Maybe 2½ hours.

Mr. GRIFFIN. Did he receive any telephone calls?

Mrs. GRANT. Yes.

Mr. GRIFFIN. All right. Now, let's try to think about how you are going to organize this, because I want to take it chronologically.

Mrs. GRANT. I am sorry if I am confusing you, because that day wasn't exactly a good day for me.

Mr. GRIFFIN. Before you start to talk, try to think a little bit about what you are going to say. He got some telephone calls and he made some?

Mrs. GRANT. That's correct.

Mr. GRIFFIN. Now, try to think about who he called first, or who he heard from first, and how things progressed.

Mrs. GRANT. He wasn't at the house 10 minutes or 15 minutes or 20 minutes at the top, and he was on the phone. I think it was Andy. I am going to tell you this.

Mr. GRIFFIN. Why do you think it was him?

Mrs. GRANT. I didn't answer the phone. He wanted the scrambled eggs and lox.

Mr. GRIFFIN. Who is he?

Mrs. GRANT. My brother Jack. And I heard the conversation.

Mr. GRIFFIN. What did you hear?

Mrs. GRANT. "Didn't you get a number from him?" "Yes; I got it." And he said, "Call me back if you find the number."

May I say something?

Mr. GRIFFIN. Yes; go ahead.

Mrs. GRANT. I bawled my brother out for buying so much food. And he said, "That is not much." And I know it was at least enough, not exaggerating, to feed 12 people, but he didn't know what he was doing then. I said, "I bet you spent \$25."

And he said, "No; only \$22."

Well, it was no sense of making discussion. I said, "Now, you are going to take some of this stuff for you and George. Don't leave it around here." And I said I didn't feel like eating, and he said, "I don't feel like eating either." And I said, "You better eat," because he hadn't had anything since early in the morning. And I said, "What do you want?" And he said "Some scrambled eggs."

Mr. GRIFFIN. Did he tell you where he ate breakfast that morning?

Mrs. GRANT. No; haven't the least idea. Andy called back, and he ran. He was practically in the bathroom. I have a very small apartment. If you want to take a diagram—you can practically carry your phone in there and close the door and still hear. And he ran to the phone. He knew I was busy. I was

moving around very slow, not in my normal speed or stride. If it was only 4 feet, I wasn't trying—I did better than a lot of other people, but he took a number down and he called this number and said, "Jack Ruby." I heard something, but I don't know. I mean, he said, "Yes, I am closing tonight." I don't know what the other guy said. But Jack had told me this after he hung up. Now, this may have been the first conversation or the second. Seems to me he talked to him twice. I mean, I am just assuming this.

Jack said, "You know the Cabana and the Century Room are closing, but the rest of the clubs aren't closing." Or something to that effect that other clubs weren't closing. Whichever ones they were, I don't remember that he mentioned. But he mentioned the two that were closing. I don't know what went on in regard to all the clubs and things, but Jack says this, he wants to know, and he was sitting there, and that is when I could see there was something wrong, but I couldn't detect what was wrong.

He became really a very broken man, but you see, I figure everybody looked and acted like he did, and I not being out, I don't know what other people outside of Pauline or the other people that called. He said, "Don wants me to call him and let him know if I am going to be open." And this is almost the exact words he said, as much as I remember. And he said, "Listen, we are broke anyway, so I will be a broken millionaire. I am going to close for 3 days." I heard him go back to the phone. By then I was in the bedroom for Kleenex or something. He went back and dialed. I don't know who he talked to. And he says, well, this is what I heard him tell, "Don't tell the Weinstains that I am closing, Don." He said, "Yes, I want to be closed." And he seemed to be, when he come out, we talked a little bit about our family and things. I said, "Call the printing room." Of course, I am not familiar, though I shouldn't say this, I have heard it a million times—I am not familiar with the newspaper although I have been there many times with him. I said, "You better cancel your ad." He said, "Well, I am going to cancel the ad for 3 days."

Truthfully, he tried to cancel the ad, but they said they held the space for him. I don't know which paper it was. He said, "This is Jack Ruby." The other guy knew him. Oh, no, he mentioned the composing room. He said composing room. He said, "This is Jack Ruby. Do me a favor. Listen, use my space and say, closed Friday, Saturday, and Sunday." Then he waited.

Mr. GRIFFIN. Let me interrupt you here, and not because—you are doing very well.

Mrs. GRANT. I am trying to.

Mr. GRIFFIN. Let me ask you this: You made the statement that Jack initially called simply to cancel the space?

Mrs. GRANT. No. Andy called our house. Listen to me. Andy told him Don called. Jack bawled him out why he didn't have the number, and he says, "I will get the number." But we have about five phones in the place of business. Andy must have went to the other part of the club to get the number, and he called back.

Mr. GRIFFIN. I got that. What I am referring to is after Don Safran called him, and you and he talked and you said, "Jack, you better call the printing room," and then he made the telephone call. And I think you indicated that Jack said, "I want to cancel my ad." That Jack's original thought was to cancel the ad, not to use the space.

Mrs. GRANT. Yes.

Mr. GRIFFIN. What do you remember was said that indicated this to you that makes you remember?

Mrs. GRANT. It seems to me, and I was sitting right next to him on the couch, and the way my place is, there was a little white table, and there is a telephone there, and it seems to me he said, "I would like to cancel," and the guy says, "Well,"—

Mr. GRIFFIN. Of course, you couldn't hear the man on the other end?

Mrs. GRANT. No; I assumed the ad was already paid for.

Mr. GRIFFIN. Go ahead. What else happened in that telephone call?

Mrs. GRANT. As I said, "You better call the printing room," or, "Did you call the printing room?" Or something. Jack said he knew the department better than I did. At least he was thinking a little better. He said, "You mean the

composing room. The fellow there knows me real well." And Jack said, "Tom," something, and he said, "Well, put in closed Friday, Saturday, and Sunday." But I want to explain something here. He made two calls like that. And from what Jack told me later on, he said, well, the first edition, it will be out, like Friday night, the space and wording is in the paper.

Mr. GRIFFIN. What newspaper did he call from your house that afternoon?

Mrs. GRANT. He called both of them.

Mr. GRIFFIN. And after he made those telephone calls, what did he do?

Mrs. GRANT. Well, he tried to eat. By now, the eggs were cool. He took a spoonful or fork full and went back to the phone. And he took this phone into the bedroom, and it seems to me he called Alice Nichols, because, you know, that is the girl he was engaged to.

Mr. GRIFFIN. Let me interrupt. Do you have a recollection of his making a telephone call to Alice Nichols from your house?

Mrs. GRANT. It seems to me it was that day or the next day, but I think it was that day.

Mr. GRIFFIN. Let me—I am going to keep this in mind—let me ask you some other questions before we get to Alice Nichols. When he brought the sandwiches and so forth—

Mrs. GRANT. It wasn't sandwiches.

Mr. GRIFFIN. All right, he didn't have any made up sandwiches from the Ritz Delicatessen?

Mrs. GRANT. No. When he brings stuff for me, he don't usually do it that way, or for us.

Mr. GRIFFIN. Do you remember his making any telephone calls to inquire about the synagogue?

Mrs. GRANT. Yes.

Mr. GRIFFIN. Did he make that telephone call before or after he called about canceling the ads?

Mrs. GRANT. It seems to me the call to the synagogue was later.

Mr. GRIFFIN. Was it before or after he talked to Alice Nichols?

Mrs. GRANT. Seems to me that it was later.

Mr. GRIFFIN. Which was later, the call to the synagogue?

Mrs. GRANT. It seems to me the call to the synagogue was later.

Mr. GRIFFIN. The next thing you remember his doing is talking to Alice Nichols?

Mrs. GRANT. Let me explain this, Mr. Griffin. Did you ever feel—this girl and him, there had been a very fine relationship, respectable, but I have noticed in the past, and I think I have heard this name for 15 years, and in this time they were engaged—that during tragic days or something very exhilarating, he called Alice Nichols. And when my brother talked to her, it is sort of a secret. He took the phone into the bedroom, and I had all reason to believe, and believe me I did not hear anything mentioned like "Alice," or "Dear," or "Honey." I had a feeling he was talking to Alice Nichols.

Mr. GRIFFIN. What made you feel that?

Mrs. GRANT. I couldn't help it. There was something about when he talked to her.

Mr. GRIFFIN. Did you hear anything that was said in that conversation?

Mrs. GRANT. I don't know whether this is in the back of my mind or knowing him, or whether I actually heard him saying something to her, but I have all reason to believe that was the first call, because he jumped up from his eating. I told you, for each call, and as it was, he didn't eat. He ate less than a third than he normally eats. I don't know if I am imagining this. I mean this is a terrible thing to say, but there was something in his voice, or I may have heard, at least it is in the back of my mind, that he talked to her. I may have even heard her name, but I don't want to say. Later on that same night we talked about her, and this is what bothers me. Whether it is in the back of my mind he told me that, or did I hear him say, "Alice, it is Jack."

Mr. GRIFFIN. Did you hear him make some telephone calls about going to the synagogue?

Mrs. GRANT. I sure did.

Mr. GRIFFIN. Tell us about that. Let me stop just to get the place and time.

About how long after he made the telephone calls concerning the cancellation of the ad did you hear a call about the synagogue?

Mrs. GRANT. Maybe an hour or 45 minutes. He walked up and back a couple of times. He took the phone in the bedroom. He made another call in there, and I want to tell you what I heard him say. This I heard him, "I am sorry I am calling you so late." I didn't hear too much of their other conversation, but he said, "Say hello to Jean."

Mr. GRIFFIN. Who is Jean?

Mrs. GRANT. This girl is named Jean Hamblen. She is married to Cecil Hamblen. They have one little child. Now, this could have been around 6:30. He had already been to the table three or four times. I remember Andy called twice. I remember Don—oh, wait a minute, I told you about Don. He called twice, didn't he?

Mr. GRIFFIN. Yes.

Mrs. GRANT. Okay, I know he called the composing room. Wait a minute, when Andy called, and Andy called back, and he called Don, now it seems to me that he already talked to Alice Nichols. I mean it may have been before Andy called, and he wasn't in the house too long.

Mr. GRIFFIN. What makes you think that he had already talked to Alice Nichols?

Mrs. GRANT. Well, I think he used the phone.

Mr. GRIFFIN. Or had he mentioned to you that he had already talked to her earlier in the day?

Mrs. GRANT. It seems to me I heard that too, but that would be nothing to him. I know it would sound crazy. My brother has called me when I am not sick five times a day. I mean, there are times, it is not an everyday occurrence, but there has been times, but it seems to me he said he had called her.

Mr. GRIFFIN. How long did he remain?

Mrs. GRANT. I am going to be honest about this. Alice is a very cold person. A very fine person, but I could never get to talk to her as even to this day, and I have known her for years.

I never sort of pushed conversation like, "How is she, what is she doing." Yet I knew he had a great liking for her.

Mr. GRIFFIN. You indicated earlier that he had been engaged to her. Was that actually a formal engagement?

Mrs. GRANT. Oh, yes. He gave her a ring.

Mr. GRIFFIN. Now, after he talked with Cecil Hamblen, did he make any other phone calls, that you remember?

Mrs. GRANT. Then it seems he called Dr. Jacobson, Coleman Jacobson, who attended the same synagogue.

Mr. GRIFFIN. Let me see if I can help you with this. Do you recall Jack saying in the telephone call to the doctor—well, do you recall after Jack made the telephone call to Dr. Jacobson that Jack actually called the synagogue?

Mrs. GRANT. He either did one or the other, but he did call both. You understand the whole deal, I got to tell you this.

Mr. GRIFFIN. All right.

Mrs. GRANT. Dr. Coleman Jacobson and Stanley Kaufman are supposed to be his friends and they used to bawl Jack out that he didn't come Friday night, which was the thing to do.

My brother, when he called Coleman Jacobson, and he often apologized, and I heard this mentioned, and I am not a big synagogue goer, because Friday and Saturday night is the time we do business.

I know it is not right, but I don't know whether Coleman Jacobson told him to call the synagogue or he called the synagogue, but I did hear, I know he made both calls.

Mr. GRIFFIN. About how much time elapsed?

Mrs. GRANT. Between the two calls, it could have been an hour.

Mr. GRIFFIN. How much time elapsed from the time he called Cecil Hamblen until he left the house?

Mrs. GRANT. Not more than an hour, but maybe 45 minutes.

Mr. GRIFFIN. All right, was this telephone call to Cecil Hamblen the last one he made?

Mrs. GRANT. No. I think it was before the other two calls. I mean, I think that.

Mr. GRIFFIN. In the period shortly before he left your house, what was he doing?

Mrs. GRANT. He was sitting in my golden chair with his head in his hand, and we were talking. I said, "I never thought in my lifetime I would ever hear of a President being assassinated." I thought when they do those things, when McKinley was shot and Garfield—I said, barbarians were running around.

Mr. GRIFFIN. Were you doing most of the talking, or was Jack?

Mrs. GRANT. Yes. He was quiet. He sat in the chair and he says, "Really, he was crazy," and between that time he went in the bathroom and threw up. It was after he ate what he considered eating.

Mr. GRIFFIN. He didn't have very much to eat?

Mrs. GRANT. No. Because he asked me for scrambled eggs. I made him three eggs. He wanted the eggs.

I said, "I will make you four, and if you don't eat it, I will eat it."

I know those eggs, he ate one-third and just very little of anything that was there. So the amount of food he normally eats, he is a pretty good eater even with his diet.

Mr. GRIFFIN. Did he tell you he called Eileen?

Mrs. GRANT. Yes, it seems to me he told me that.

Mr. GRIFFIN. What did he say about that?

Mrs. GRANT. Now, let me explain something. You see, you are jumping the gun. When he was sitting on this chair and crying, I had made this remark—don't forget, I saw all this business on television already.

This was now after 6. Maybe even a quarter of 7. He left shortly after 7, so it can't be after 7:20 or 7:25, so we can straighten that out.

I said, "That lousy Commie. Don't worry, the Commie, we will get him.

I also said this. If I say the word "commie" low, does it go in there when I say it?

I would like to see the television deal in order to get something straightened out. It seems to me Curry said he had three draft cards and he defected to Russia.

This was all in the late afternoon, and he kept repeating it. I figured out in my intelligence that this guy was sent to do it, so I said this.

I could never conceive of anybody in his right mind who would want this President hurt. Only a guy just of his caliber. [Lousy Commies—L. H. Oswald.]

Mr. GRIFFIN. What did Jack say?

Mrs. GRANT. He didn't say nothing. I heard him say, "What a creep." Whether it was Friday or Saturday, that is the exact term. [It was Friday.]

He never used the word "rat" or "skunk." He doesn't like my vocabulary. I come out and call his friends s.o.b., but you want the word, and he don't like them. That don't have to go on the record.

Did I get off the track? I am sorry, Mr. Griffin.

Mr. GRIFFIN. Well, when did you next see him again after he left the house Friday night?

Mrs. GRANT. The next day he came.

Mr. GRIFFIN. Did he come back to your house at all Friday night?

Mrs. GRANT. No. Wait a minute, you are asking me—I know what the question is. Now, I am sorry, sir, you will have to forgive me. My mind isn't that good any more.

When he was leaving, he looked pretty bad. This I remember. I can't explain it to you. He looked too broken, a broken man already. He did make the remark, he said, "I never felt so bad in my life, even when Ma or Pa died."

So I said, "Well, Pa was an old man. He was almost 89 years. Anyone lives that long, you are lucky, such as the life he lived"

I can't put the things in there, the things that I said.

Mr. GRIFFIN. That is all right.

Mrs. GRANT. I said, "I don't want anyone to get killed." I said, "If it was Hoover, now, he is a man 85 years old, and I read a confidential report out of some magazine, he has the same thing that my father had, uremia. I bet he would almost or wish someone would shoot him." I know how my father suffered.

Don't misunderstand me, let him live and be well. This is not a thought on my part. It is a thought that this poor man who is suffering so much.

Mr. GRIFFIN. Did you tell this to your brother?

Mrs. GRANT. Yes. I think we were discussing—we were very close in saying things.

Mr. GRIFFIN. This was before he went to the synagogue?

Mrs. GRANT. During the time he was eating and the phone calls and all those little conversations that go up and back.

Mr. GRIFFIN. Did you see him again that night after he left?

Mrs. GRANT. No. When he was leaving, he already threw up, and I was very worried about him getting killed in traffic. I said, "Don't go to the synagogue." And he said, "Yes, I got to go." He said, "I will never feel right."

Mr. GRIFFIN. Did he tell you when he left the house he was going home first?

Mrs. GRANT. This is what—he was too dirty. He never wears clothes, the same clothes all day, if he has to go out in the evening or go into the club, and he wasn't dressed right.

It seems to me his tie was loose, or whatever it was. I don't even remember. I think he wore a grey suit.

Mr. GRIFFIN. After he left?

Mrs. GRANT. He got home.

Mr. GRIFFIN. You didn't hear from him again, did you?

Mrs. GRANT. Yes, I did.

Mr. GRIFFIN. Did he call you when he got home?

Mrs. GRANT. Yes.

Mr. GRIFFIN. He called you from his house? How long after he left?

Mrs. GRANT. About an hour.

Mr. GRIFFIN. What did he say?

Mrs. GRANT. That is when he says to me, "I told Eileen you were going to call her. I told Eileen you were going to call her."

Mr. GRIFFIN. When did he say that to Eileen?

Mrs. GRANT. How do I know? He told Eileen in Chicago that I was going to call her that night.

Mr. GRIFFIN. Did you call Eileen?

Mrs. GRANT. It seems to me I did. You want to know, my records would show it better than I can.

Mr. GRIFFIN. You know you talked with Eileen?

Mrs. GRANT. Yes, but I don't remember when I talked to her that night, Saturday night, but I am almost certain it was that night.

And I want to tell you what happened in the conversation. I said, "You know Jack wanted me to call you. I guess he called you. Such a tragedy. And how do you feel?"

And she said, "I want to send you a robe."

And I said, "I don't want nothing. I got flowers to bury me, and I would like to be buried away. I am just sick about this thing."

And we were talking, only I didn't speak so hectic as I am now. I was pretty low and sick physically. I said, "I am going to call over at Mary's." That is Mary and Ann Hyman, and Mary lives at 1044 Loyola, Chicago.

She said, "When you call over there, tell Hyman (my older brother) he left his glasses here."

So I said, "You are in Chicago, why don't you call him." Kidding her.

And she said, "No."

I think I called that night. You look and see. It seems to me I called.

Mr. GRIFFIN. Did you leave the apartment at all that night?

Mrs. GRANT. Never.

Mr. GRIFFIN. Now, somebody made a telephone call early Saturday morning from the Vegas Club.

Mrs. GRANT. That wasn't right. That is a confusion. I billed it to the Vegas Club telephone, unless one of my help went there, which I doubt. But I wanted to call my son's father-in-law, which I straightened out with the FBI.

Mr. GRIFFIN. That was a call made to a family named Hirsch?

Mrs. GRANT. I don't think I made it Friday. I think Saturday. [Made on Saturday.]

Mr. GRIFFIN. The record indicates it was made somewhere around 1:00 or 12:45 Saturday morning, and the records indicate it was from the Vegas Club.

Mrs. GRANT. I would like to doubt that very much on the words. Let me explain something. What about the other two calls? Are they Friday? Do you have it there, to Chicago? [The phone company has written a letter to me stating that the call was made from LA 6-6258 at 10:45 p.m. (CST) on Saturday.]

Mr. GRIFFIN. Someone made a call late Friday night to Hyman's number in Chicago.

Mrs. GRANT. Wait a minute.

Mr. GRIFFIN. Let me tell you what the record shows. The record shows that Eileen called you around 9 o'clock.

Mrs. GRANT. She called me?

Mr. GRIFFIN. That's right.

Mrs. GRANT. Maybe that is right. See, I don't know.

Mr. GRIFFIN. The record shows that Eileen called you.

Mrs. GRANT. Oh, maybe that is the—wait a minute, I thought Jack wanted me to call her. But that wasn't it, was it?

Mr. GRIFFIN. I don't know. The record shows that.

Mrs. GRANT. I know I talked to her. You want to know the truth. I know I talked to them once or twice a month, so I don't know.

Mr. GRIFFIN. Do you remember calling Hyman?

Mrs. GRANT. It seems to me I remember calling that number over there.

Mr. GRIFFIN. You don't remember exactly when you called?

Mrs. GRANT. It seems to me it was Friday.

Mr. GRIFFIN. Well, the records indicate that a call was made to Hyman's house from the Vegas Club on Friday night. Did you go out of the house?

Mrs. GRANT. Never left that house; never. So, I hope I don't see my son alive. I did not leave Friday or Saturday out of that building. Not until Sunday when I was sneaking over to what I thought was the city hall. Let me explain this.

Mr. GRIFFIN. Do you remember calling the Hirschs?

Mrs. GRANT. Yes; but I think it was Saturday. Please listen to me. It was Saturday, November 23. I had called another number where my son lives. It is in my book. And calling my son's number, maybe it was at 10:30 at night, Dallas time, and nobody answered. This was Saturday night. I decided to call Cecil and Viril Hirsch. That is the mother and father of my daughter-in-law.

And I said, "It is Eva." And we talked, and I told him the town is falling apart over this, we are just sick. And I said, "Where are the kids?" I figured maybe Cecil is not answering the phone. And she said, "They are here." And I said, "How come you are having an affair like this?"

And she said, "For three or four different weekends they were supposed to have a temple affair and are installing new officers. It started in September, but it is a new community, and all the mothers and fathers have young infants, and every other week, if they postponed it, a child had measles or chickenpox, and they said that this particular Saturday night, November 23, let's see if everyone can't come. We will install them whether they are there or not."

And I said, "You tell Ronnie he is not to take the kids out of bed." Not that my kid listens to me, but that is me talking. "And to stay there overnight, and maybe I will call them tomorrow or something." Anyway, I said, "Don't let them take the kids out." And she said, "I told him not to." And she said he was going to drive up at 12 o'clock sharp.

And I said, "Where does he get this traveling 40 miles and another 40 miles from my son's mother-in-law's home back to where they live."

Mr. GRIFFIN. Let me move ahead now. It is a Saturday morning. Did you see your brother Saturday morning, November 23?

Mrs. GRANT. I don't remember.

Mr. GRIFFIN. How about Saturday afternoon, did you see him Saturday afternoon?

Mrs. GRANT. Yes; I did. I spent every bit of 3½ or 4 hours, not 3¼ hours, and not much more than 4 hours, with him.

Mr. GRIFFIN. What time did you get up Saturday morning, as best you recall?

Mrs. GRANT. Well, it would be easiest to say that I didn't sleep at all.

Mr. GRIFFIN. Let me just ask you this. What time do you think your brother came to your house?

Mrs. GRANT. I would say 20 minutes before, and I think it would be the closest I could ever get, 20 to 4 in the afternoon, Saturday, November 23, and it could have been 5 to 4.

Mr. GRIFFIN. Had you contacted him?

Mrs. GRANT. Between the time that he left Friday night and the time he showed up Saturday afternoon, I think one time.

Mr. GRIFFIN. When do you think he called you?

Mrs. GRANT. I don't know. It seems to me, I may be wrong, he didn't call me early in the morning. It seems to me he called me—now, it wasn't before noon—this I will swear, at least I can't remember. He called me enough after 4, after 8 o'clock to make up for all the calls he didn't. One call. I think he was in the club, and I would say after 12 o'clock, but I don't know when.

I don't know, I am just assuming that many times. I never know where he is at. I don't question about where he is at. It don't make any difference, unless he is in the neighborhood, like Friday, I might have questioned him when he said he was going to Phil's. I said, "Where are you," and he said, "I am in the club."

Mr. GRIFFIN. I am going to get on for a second here. Do you remember calling a man named John Henry Branch on Saturday, November 23?

Mrs. GRANT. Me?

Mr. GRIFFIN. Yes. Do you know who Branch is?

Mrs. GRANT. Yes; I know him. Gee, I don't know. I have called him different times, but I don't remember talking to him.

Mr. GRIFFIN. Do you remember trying to make some arrangements with Branch about getting a pianoplayer?

Mrs. GRANT. Yes.

Mr. GRIFFIN. When did you do that?

Mrs. GRANT. I don't know, I was having trouble right along. [I believe it was Friday, November 15.]

Mr. GRIFFIN. Was that after you went in the hospital, or before you were in the hospital?

Mrs. GRANT. Well, Joe left the first week in November. I have called Henry Branch, I think it was, before my operation, now that you brought it back to me. I don't remember calling that Friday or Saturday, unless I wanted to show some people, because I had a pianoplayer. Leonard Wood was working for me. He was the pianoplayer.

Mr. GRIFFIN. But he quit you fairly soon?

Mrs. GRANT. But he was working then, because I want to tell you what happened. He had called the house. Now listen closely. Leonard Wood called the house. You brought that up, and I have all reasons to believe it was Friday night. And he said, "How do you feel, Mrs. Grant?"

You know one thing about the colored people, since I have been sick, most of them were very nice, even if they hated me. I know if I got mad at them, like Joe, we still love him. I don't know what it is, he had called, and I have reasons to believe it was Friday night.

Now, listen to this. He said, "How do you feel?" Now, I may have called him and told him not to come into work, or Jack called, or someone had called him.

Mr. GRIFFIN. Who called the personnel at the Vegas Club to tell them not to come to work? Did you make any calls to your personnel at the Vegas Club?

Mrs. GRANT. Pauline was calling me all the time, and Emma Collins, and I am glad you brought it up. I can't think of every damn thing. Leo Torti is our helper or manager. He does many things, and we owe him some money. It wasn't we—Ralph Paul. Anyway, it seems to me, the best of my knowledge, he had all of their phone numbers, but it seems to me I, myself, may have called Leonard sometime late that afternoon, I don't know.

Mr. GRIFFIN. Well, Mrs. Grant, just let—

Mrs. GRANT. And Leonard Wood wanted some money, and I think it was Friday night.

Mr. GRIFFIN. I don't want the details.

Mrs. GRANT. Wait a minute, this is very important.

Mr. GRIFFIN. All right.

Mrs. GRANT. He wanted some money, so I think, it seems to me I said—Jack was in the house—"You will tell the guys at the garage next door to the Carousel Club, you give him your name, and he will put \$10 in an envelope." Now, Jack made this call from the house. This is Friday night.

There was a guy there, Larry Crafard, and Andy is supposed to be there. Jack says, "You stay there until 9 o'clock, and then you put up a sign 'closed tonight'."

Mr. GRIFFIN. Who did he say this to?

Mrs. GRANT. I don't know.

Mr. GRIFFIN. That would have been Saturday night that he said this?

Mrs. GRANT. It could be.

Mr. GRIFFIN. Okay, was that the same night that Leonard Wood called?

Mrs. GRANT. No. It seems to me Leonard called Friday. I may be wrong.

Mr. GRIFFIN. Leonard called and wanted some money?

Mrs. GRANT. He was already informed we were not going to be open.

Mr. GRIFFIN. But Leonard called and wanted some money?

Mrs. GRANT. Yes. And Jack—I was on the phone, this much I remember.

Mr. GRIFFIN. You talked to Leonard?

Mrs. GRANT. Yes. It seems to me he talked to me.

Mr. GRIFFIN. Did you call the Nichols Garage?

Mrs. GRANT. No. I don't even know the number.

Mr. GRIFFIN. What garage were you saying he could get some money in an envelope?

Mrs. GRANT. Next door.

Mr. GRIFFIN. Which garage is that? Next door to the Carousel Club?

Mrs. GRANT. Next door to the Carousel Club.

Mr. GRIFFIN. Did you call that garage?

Mrs. GRANT. No.

Mr. GRIFFIN. Did Jack?

Mrs. GRANT. Yes.

Mr. GRIFFIN. You are sure that was in connection with Leonard Wood?

Mrs. GRANT. That is what I heard.

Mr. GRIFFIN. Let me ask you this. Could it have happened Saturday night?

Mrs. GRANT. I don't know if he told Andy. I know Crafard didn't have any money. "Put it in an envelope and you go next door, and there will be \$10 for you."

Mr. GRIFFIN. Well?

Mrs. GRANT. Maybe you are right. Maybe it was Saturday. I know the call came to the house. That is all I know, and I know I talked to Leonard.

Mr. GRIFFIN. Did you talk to Leonard about the money in the envelope, or did Jack talk to him about the money in the envelope?

Mrs. GRANT. I talked to him, because Jack was talking to me, and I was relating it on the phone, but I did not call anyone to tell them where to put the envelope. That I do remember. If I did, I don't remember, and I don't want to be quoted that I do remember. And I am not trying to get out of it. I know we put—there was supposed to be left \$10 one of those nights.

Mr. GRIFFIN. But you have no recollection of talking with Branch any time over that weekend?

Mrs. GRANT. I don't have. I know I had talked to him in the last month at that time.

Mr. GRIFFIN. Mrs. Grant, how long did Jack stay at your house? When did he leave your house on Saturday night?

Mrs. GRANT. 8 o'clock, or 10 to 8, or 10 after 8.

Mr. GRIFFIN. Could it have been as late as 11 o'clock?

Mrs. GRANT. Oh, no; no. I tell you what happened. May I?

Mr. GRIFFIN. Yes.

Mrs. GRANT. He came over, and he was excited and goofy. Said he had been to the post office, connected with the Morning News. He said the box is full of mail. He said it some commie. He takes out three pictures. It is postcard pictures, and in the left-hand corner there was a picture of Earl Warren.

He told me he had a fight at the bar, and I know the man Solomon at the Turf Bar or Surf. It is on Commerce Street. And he said he nearly took a swing at a guy. And I want you to know, I do not know this person. I don't think I ever talked to him yet. If I have, I don't remember. It seems to me our accountant was in there, Abe Kleinman. He said there is a little weasel or creep was in there, and he said, "I am leaving Dallas. This is a hell of a place. We got a black mark here." And that is when Jack picked up his hand, and said, "I will take a whack at you." He picked up his hand and said something to the effect, "I ought to take a whack at you for things like that. You made all your money here and now you are running out. There is nothing wrong. This is the best city in all this business." And he said he called Gordon. Oh, he called Gordon McLendon. I don't know what went on. Of course, I didn't give a damn, and I went to take a shower.

Mr. GRIFFIN. Did he tell you that he had been to the police station the night before?

Mrs. GRANT. No; this is Saturday afternoon. Now, see, you skipped over Friday night late after the synagogue.

Mr. GRIFFIN. You didn't see him Friday night?

Mrs. GRANT. He called me.

Mr. GRIFFIN. After the synagogue he called you?

Mrs. GRANT. Yes.

Mr. GRIFFIN. Where did he call you?

Mrs. GRANT. He said he was in Phil's.

Mr. GRIFFIN. In Phil's?

Mrs. GRANT. Yes.

Mr. GRIFFIN. What did he say to you?

Mrs. GRANT. He said, "Do you have the private number of KLIF?" I thought he was nuts. You want to know why? I never had any reason to call over there for a private number and little bit I know they had any.

Mr. GRIFFIN. He called and said he wanted to know the number of whom?

Mrs. GRANT. Of Russ Knight. And why did he ask me the number. I hadn't had Russ Knight's number in the last 2 years, because he played a record of Joe Johnson, and I gave it to Russ Knight. But I couldn't think in—I couldn't think of his last name, and I didn't think we were going to find out.

To make a long story short, he said he was in Phil's, and I don't know if he was in Phil's on the highway or the one in the neighborhood. The first thing he wanted to know is how I felt, because I was pretty bad. And I asked him if he had gone to the synagogue and he said, "Yes." He said, "What are you doing?" Truthfully, I was watching and not hearing, but it didn't mean a thing any more, because I was already—he said he was going to the station, and this is something I want to get very clear. I didn't give a damn if he went to the radio station or police station. I don't know what idea, because he knows somebody everywhere he goes, they know him. I assumed he had friends there. And he asked me if I remembered Russ' name? At the time I didn't even remember who he was talking about. He said, "The weird beard." I don't know who he was talking about, and it didn't make any difference to me. This was late. He said after he had been to the synagogue, it wasn't before 10:30—it could have been around midnight—there was no conception of time any more for me that following evening.

Now, the next day, he called me sometime in the afternoon. He came over about 3:40. He says, "I went to a mailbox." He said that in the middle of the night he took pictures, and he told me a bunch of stories. And in his mind, Bernard Weissman was a gentile using a Jewish name to implicate the Jews again and all this business. I said, "He is probably some Commie." And while in my home, and this I heard, he called Stanley Kaufman. And I don't know what went on the other side, and he is telling him this, he says, "He is out of town, but I am going to take this to the FBI." And I asked him during that time, I said, "What are you going to do with it?"

There were a lot of things that happened Friday and Saturday. I am not smart about politics or the phrases they use always, whether they are right or wrong. He said, "I got a scoop for Gordon." And I said, "What are you going to do with it?" And he said, "I am going to take it Monday to give it to the FBI." And I thought he said it said, "Impeach Earl Warren."

Mr. GRIFFIN. Did he know who Earl Warren was?

Mrs. GRANT. Oh, yes; he is quite familiar with the position he holds in the United States.

Mr. GRIFFIN. Did he know at that time who he was?

Mrs. GRANT. I am sure he did.

Mr. GRIFFIN. Do you remember him making a telephone call to Russ Knight from your apartment Saturday?

Mrs. GRANT. Now, let me tell you, I know he called him. No; I know he called Stanley. This, I swear my life. He may have. I don't want to be held responsible for saying that he did or didn't.

Mr. GRIFFIN. All I ask is if you remember?

Mrs. GRANT. No; sir, but he made calls.

Mr. GRIFFIN. Who do you remember him calling from your apartment on Saturday?

Mrs. GRANT. I know in this conversation he said this, "I went all through the telephone book and I went along Oak Cliff Avenue, and I even went to the city directory." Now, whether I had said something to him earlier or then, or what, but I figured that would be the police. It is in the back of my mind. I said something, whether I was telling him to go, or he told me he had been, I don't know.

Mr. GRIFFIN. Who was he telling this bit about?

Mrs. GRANT. He was telling, mostly he talked, I would say, 15 minutes anyway to Stanley Kaufman, his attorney here in town.

Mr. GRIFFIN. About the city directory?

Mrs. GRANT. I don't know about that, but I know we talked about it. He said he was looking for Bernard Weissman.

Mr. GRIFFIN. Where?

Mrs. GRANT. You messed up on a lot of stuff that went on Friday.

Mr. GRIFFIN. Did it take place in your presence?

Mrs. GRANT. This conversation was made in front of me, and this is what I heard.

Mr. GRIFFIN. Have you missed anything on Friday that took place in your presence?

Mrs. GRANT. Well, Betty Gouchuin came with the newspaper on Friday morning at 10 a.m.

Mr. GRIFFIN. We covered that.

Mrs. GRANT. Even the second time after the conversation, and while he wasn't there, I read the darn thing, and I am going to tell you the truth, I am not smart enough to detect if there is any animosity. It is like we sent wheat to Russia.

Mr. GRIFFIN. Did he talk—

Mrs. GRANT. He asked me did I see the ad, and I said, "Yes, but I didn't like it. I looked at it." And since he has already been fed up and fouled up in the newspaper office, when he came Friday he brought me back the morning paper and the evening paper with "The President is dead," and he said, "Look at it." He said different things like, "Any other city would be honored to have him visit them. Of all the cities in the United States to have the President to come here."

Mr. GRIFFIN. Let's get back to Saturday with this understanding that if there is anything that took place in your presence or that Jack said to you on Saturday that we haven't covered already? We are finished with Friday. When you read this transcript again, if there is anything that comes to your mind in reading that transcript, write it out and send it to us. But let's go on to Saturday. Let's stay on Saturday. Now, the telephone calls, you said he called Stanley Kaufman?

Mrs. GRANT. That's right.

Mr. GRIFFIN. What did he talk to Stanley Kaufman about that you heard?

Mrs. GRANT. He went to the post office, and he was still talking about these pictures, and he said he couldn't find a name like that anywhere. He implied that this was not a Jewish man that did it. It was a gentile, and he just wanted to get the Jews in trouble.

Mr. GRIFFIN. He implied that?

Mrs. GRANT. Well, yes.

Mr. GRIFFIN. Did he actually say that?

Mrs. GRANT. No; I could tell from the way he worded. You don't have to say a lot of things if you know a person as well as I know Jack.

Mr. GRIFFIN. Did you arrive at that conclusion on Saturday when you were talking to him, or is that some conclusion you—

Mrs. GRANT. This was Friday. Well, no, I got to thinking that (pause), I had said this to him. "It could be a gentile with a name just like that," and didn't think anything of it.

Mr. GRIFFIN. Why did you suggest to him that it might be a gentile?

Mrs. GRANT. I said in words that it might be a gentile, with a name like that.

Mr. GRIFFIN. What made you think that?

Mrs. GRANT. Because I know a lot of Swedes, like the name Swanson, or Peter. I know a lot of Jewish people named Miller.

Mr. GRIFFIN. What gave you the idea that the Weissman ad was put in by a gentile?

Mrs. GRANT. Nothing any more than I was just trying to cover—not cover up—maybe in my subconscious mind I didn't want a Jew to be connected with it either.

Mr. GRIFFIN. Did Jack suggest that to you, or you to him, first?

Mrs. GRANT. This is it. We both feel—we don't have the feeling that anyone would be such a low life.

Mr. GRIFFIN. Do you understand my question?

Mrs. GRANT. I don't remember which one said it. We felt that way. We talked about it. I could have said a lot of things.

Mr. GRIFFIN. Mrs. Grant, what do you remember saying to Jack about the Weissman ad on Saturday afternoon or evening?

Mrs. GRANT. I asked him, I said, "Did you look in the city directory?" I probably indicated stuff like he is a Commie, and by Saturday he already changed. I figured I talked about Birchers.

Mr. GRIFFIN. Mrs. Grant, on Friday when you talked with Jack about the Weissman ad, did you suggest to him, or was there any talk that Weissman might not be a Jew?

Mrs. GRANT. He was a commie straight with Oswald.

Mr. GRIFFIN. On Friday when you talked about the ad; is that right?

Mrs. GRANT. I mean, he implied little things like that. After all, it is my brother. We have a right to have private conversations.

Mr. GRIFFIN. I see.

Mrs. GRANT. I maybe even said, "Jew" to rile up everybody.

Mr. GRIFFIN. When you first talked with Mr. Burleson about this, did you tell him what you have just been telling us here?

Mrs. GRANT. I don't know. If he remembers, he is doing better than I am doing. If he thinks I lied, or I am not telling the truth, I don't know—did I leave something out?

Mr. BURLESON. Not that I know.

Mrs. GRANT. Saturday afternoon he brought me three pictures, and he is read-

ing them, and this is on the paper, "Impeach Earl Warren," and he thinks this is commies and Birchers. That is when it all came, to remember about Birchers, and I know very little about them, and I know less about communism.

Mr. GRIFFIN. Did he mention any literature by H. L. Hunt?

Mrs. GRANT. He had that literature for some time. I think he had that literature a couple of weeks.

Mr. GRIFFIN. Did he talk to you about that literature after?

Mrs. GRANT. Yes; he hated him.

Mr. GRIFFIN. Hated whom?

Mrs. GRANT. H. L. Hunt.

Mr. GRIFFIN. When did he mention this to you?

Mrs. GRANT. He don't have to say he hates. I know my brother. If a man looks at his wife, he don't have to tell me. He implies he hates her. This was something—he went someplace and he told me something that, I think we read this in the paper, I will be honest about it, that at the World's Fair they don't want them in. I don't know where I got the information.

Mr. GRIFFIN. Do you remember any radio script he got from H. L. Hunt?

Mrs. GRANT. It seems to me the day I was in his car, he took me from the hospital, and I think he had it in there before I even went to the hospital, I don't know. It seems to me in October or September I seen something that my brother didn't like in Life Line. I can't use the words for this machine.

Mr. GRIFFIN. Can you remember any other phone calls that he made on Saturday from your apartment?

Mrs. GRANT. He made a lot of them. He was there until almost 8 o'clock, or 10 after 8. He did not leave before 7:30, and he was out of my house before 8:30, but he spent a good 4 hours Saturday, and he slept a little bit. He said he hadn't slept for two or three nights.

Mr. GRIFFIN. Did he call Tom O'Grady from your apartment?

Mrs. GRANT. He may have.

Mr. GRIFFIN. Do you remember that?

Mrs. GRANT. In the back of my mind, he may have; yes. Now, I don't know. You know what, I am going to tell you something. I wasn't too, what do you call it when you can't recall your thoughts—it was 2 terrible days. It was the worst days for me than a lot of people, because I was taking pills.

Mr. BURLESON. Amnesia?

Mrs. GRANT. No; I was more like in a trance. I was sick physically. I was taking these pills. The shock of the President knocked me off gear. I thought the world was coming to an end. My brother sitting there like a broken man crying. All this went until days for me.

Mr. GRIFFIN. Did Jack call Ralph Paul from your apartment?

Mrs. GRANT. Yes; I think he did. He may have even called Friday, I don't know. If it is on my bill.

Mr. GRIFFIN. Did you call Ralph?

Mrs. GRANT. No. I think I called him that following Sunday, the 24th.

Mr. GRIFFIN. But you didn't call him on Friday or Saturday?

Mrs. GRANT. No; I had very little business with Ralph Paul. Not that I remember. It would have to be an exceptionally good reason, and I don't know what reason it would have been.

Mr. GRIFFIN. Did Jack receive a telephone call from Little Lynn while he was at your apartment?

Mrs. GRANT. Not that I can recall. The phone did ring, but I couldn't say who it was. But I remember the Friday night, because Andy called.

Mr. GRIFFIN. Do you recall the telephone call from somebody asking Jack for some money on Saturday night?

Mrs. GRANT. I remember I spoke with Leonard Wood about he wanted some money. Either I picked up the phone—I thought it was Friday night. Now, if it wasn't, I am quite mixed up. In fact, until recently, I forgot about giving him \$10 until Sunday morning, and this only came to me recently.

Mr. GRIFFIN. Mrs. Grant, on Saturday night from your apartment, did Jack call a man named Lawrence Meyers?

Mrs. GRANT. No.

Mr. GRIFFIN. Do you know Lawrence Meyers?

Mrs. GRANT. No. Who is he? I would like to know who he is. Someone else asked me.

Mr. GRIFFIN. A friend of Jack's from Chicago.

Mrs. GRANT. I don't know who he was. Was he in Chicago, the fellow?

Mr. GRIFFIN. No; he was in Dallas.

Mrs. GRANT. I never heard the name, believe me, so help me God. I don't even know who you are talking about. I know Lenny Patrick. I know who he is, and I haven't seen him in 35 years. We are very well acquainted!

Mr. GRIFFIN. Did Jack—

Mrs. GRANT. Who is this guy, a racketeer? I want to know. I want to find out.

Mr. GRIFFIN. He is not a racketeer. He is a perfectly legitimate man, but a friend of Jack's.

Mrs. GRANT. Who is he? I want to find out.

Mr. GRIFFIN. He sells sports goods.

Mrs. GRANT. That is more like my brother's friends. I once had lunch with a judge. That doesn't make me a judge.

Mr. GRIFFIN. You don't think I am accusing you of anything?

Mrs. GRANT. No; I like you, but I want you to try to understand that we are not children. If we were 20 years of age, we only have many acquaintances. Jack and I traveled a great deal, and we met many people. Jack has a vast amount of knowledge of people's names. That is more than I have.

Mr. GRIFFIN. Let me say this, that in the testimony we have been taking today, I don't think there has been any suggestion of any accusations—I have simply been trying to find out from you what you did.

(U.S. Attorney H. Barefoot Sanders enters room.)

Mrs. GRANT (to Mr. Sanders). If you hear hollering, it is me. You want to shut me down and not let me explain this. When you run a business like we have, people come up and, you don't go up and ask what business are you in.

Mr. GRIFFIN. Look, you don't even have to go into this, as far as I am concerned, because all I want to find out about is what you did on Saturday night and Sunday, and I only mentioned Mr. Meyers' name, not to suggest he was a racketeer or anything like that.

Mrs. GRANT. I would like to know who he was.

Mr. GRIFFIN. Well, I have told you.

Mrs. GRANT. I appreciate it, and I want to thank you, because someone else asked me.

Mr. GRIFFIN. We will give Mr. Burleson his address. In fact, I think Mr. Burleson already has his address.

Mrs. GRANT. How come you don't ask Harry Rosenthal why he goes to Las Vegas every weekend? I want to know why you don't ask him.

Mr. GRIFFIN. Let's stay on the track.

Mrs. GRANT. If he came to visit me, would it make me a gambler? I wish I had money to gamble. I like to go to the racetracks.

Mr. BURLESON. No; you don't, either.

Mr. GRIFFIN. Mrs. Grant, when Jack left your apartment on Saturday night, did he say where he was going?

Mrs. GRANT. Yes.

Mr. GRIFFIN. Where was he going?

Mrs. GRANT. When I first told the story, I had forgotten about his saying he was going to the club, something to talk to Andy, or to go to the garage about the money again. It had to do with leaving money again.

Mr. GRIFFIN. Let's—

Mrs. GRANT. But this is what he had in mind.

Mr. GRIFFIN. Let's get back on this, now.

Mrs. GRANT. He didn't eat at my house this Saturday. In fact, he spent so much time, all he drank was juice.

Mr. GRIFFIN. How did this money thing that he had to take care of downtown, how did that come up?

Mrs. GRANT. Well, you see, you have confused me. I don't know if that was Leonard Wood's deal or anybody else, but it seems to me in the back of my mind there was someone else that needed money, and I don't know who to put the

finger on that asked, because with all the help, and it was something to do with his club. At least that is what it seems to me. In one of those conversations, either Friday or Saturday, he said, "You stay there until 9 o'clock." On Saturday night, it could not have been Larry, because when Jack came in the afternoon, he told me, "Guess what, Larry left me a note and took some money. He is mad at me." And I said, "Why?" He said, "Because I didn't leave him money, or something, I didn't buy dogfood."

He said, "Well, don't you take money," or something. I heard this. This is what Jack told me, something about dogfood. And I said, "Why did he leave?" He said, "Well, after we took the pictures, I told him I am going to be up, I feel good, I am going to go here," and Jack talked like that, and I do too. But instead of that, he went home, because this is the morning of the 23d after he was up all night. Well, I don't know if he slept, because he didn't get home till 2:30 or 3 or 4. He called Larry and got him out of bed, and they went to take the pictures, and took these pictures sometime.

MR. GRIFFIN. This is something you didn't see?

MRS. GRANT. No.

MR. GRIFFIN. They told you? Jack told you all this when?

MRS. GRANT. George told me.

MR. GRIFFIN. When did George tell you that?

MRS. GRANT. Well, I don't know when I saw him. It was the next time, but I don't remember when I saw him. I didn't see him that Sunday, that I remember.

MR. GRIFFIN. This was sometime after Oswald was shot?

MRS. GRANT. Oh yes.

MR. GRIFFIN. Did Jack tell you about this?

MRS. GRANT. The pictures, I saw myself, three pictures.

MR. GRIFFIN. All right. Now, when Jack came up to your apartment Saturday afternoon, what did you spend most of your time doing? Talking, or watching television or what?

MRS. GRANT. No; he didn't watch it at all. I know he didn't. In fact, he fell asleep for over an hour on my bed. This is the first time he has ever done that. He noticed I got a new spread a month and a half ago, and since it cost \$20.50 apiece, I have twin beds, he didn't even pull the top down, and there is a big oil spot from his head, and I was going to give him hell on Sunday.

MR. GRIFFIN. How long after he showed up at your place did he go in there and rest?

MRS. GRANT. He came about 20 to 4. He was there almost to 8, or 10 after 8. It seems to me there were many hours. He talked and called Stanley and took the phone in the bedroom. He laid down, and then got up, and when he left, he told me he was going home to eat. I think he called George.

MR. GRIFFIN. Now, Mrs. Grant, let's see, maybe we can pinpoint when he was sleeping there. How long after he woke up did he leave your apartment? About how much time elapsed?

MRS. GRANT. Well, I would say maybe an hour. Maybe 40 minutes.

MR. GRIFFIN. How long had he been in your apartment before he went to sleep?

MRS. GRANT. A few hours.

MR. GRIFFIN. Then he didn't sleep very long?

MRS. GRANT. No.

MR. GRIFFIN. How long would you say he slept?

MRS. GRANT. I don't know. I think I actually fell asleep myself. I hadn't slept well for a couple of nights. Hadn't slept all Friday night, and neither did I sleep Saturday during the night, or either Thursday night. That was the reason I would take one of these pills.

MR. GRIFFIN. Now, Mrs. Grant, if the other evidence showed that Jack arrived down at the Carousel Club about 11 o'clock—

MRS. GRANT. The date?

MR. GRIFFIN. Listen to me.

MRS. GRANT. I don't know nothing about that.

MR. GRIFFIN. Now, listen.

MRS. GRANT. Can I catch you up a little before that?

Mr. BURLERSON. Let him ask questions, and then you can fill it in.

Mr. GRIFFIN. Let me finish. If the evidence showed that he left and arrived down at the Carousel Club about 11 o'clock at night, and that he received a telephone call about money——

Mrs. GRANT. It could be.

Mr. GRIFFIN. At about 10:30 at night.

Mrs. GRANT. Not from my place.

Mr. GRIFFIN. It couldn't have been at your place?

Mrs. GRANT. No. Will you listen to me? Don't forget—Friday night we had all of the delicatessen stuff. This is Saturday. I did not make one thing. He asked me what I had got to eat. I said, "Same thing that you brought yesterday." That didn't satisfy him. This is in the back of my mind. He may have called his apartment and George was there, because he made calls. He wasn't home. I don't know where he was for 2 hours or 2½ hours.

He was home, it seems to me, after 10. I would say 10:15. He said he took a shower and was getting dressed, and he made liver and onions, or liver. George had bought liver. Whether it was prepared before, or whether it was raw, and Jack had to fry it, I don't know.

Mr. GRIFFIN. How did you find out about that?

Mrs. GRANT. He was telling me, and he said, "Ask me what I ate?" I said, "I don't feel like eating. I ate enough for six people, just little bites." And I said, "Did you eat?" And he said, "Yes George brought a lot of stuff." George is a Jewish housewife, in my estimation.

Jack called me from his house. He said he had liver. And he was very depressed, and he was droopy depressed. We get high and low, which you probably know. He was so low, I said, "Go see somebody." And he said, "I don't want to." And I said, "You are depressed. Go see somebody." Well, I don't know, I mean go see somebody that you like. Now, I didn't know this then. I did not know this Sunday. I found out maybe a week later or two, I don't know when. I found out he went to Bob Norton of the Pago-Pago Club.

Mr. GRIFFIN. How do you fix the time in which you told him to go see somebody?

Mrs. GRANT. After 10 o'clock.

Mr. GRIFFIN. How do you arrive at that?

Mrs. GRANT. Well, I knew it.

Mr. GRIFFIN. I mean, he was watching television. Was it getting late in the evening and he had been gone a couple of hours?

Mrs. GRANT. It wasn't after 11 o'clock, and it wasn't after 12 o'clock.

Mr. GRIFFIN. Could it have been as early as 9 o'clock?

Mrs. GRANT. You know, this sounds crazy. I think he went home and slept a little bit too. I think that is what he told me. I may be wrong, but it seems to me that he could have slept a little bit. And he is a very slow dresser. Anybody that probably can get dressed like in the Army, how they ever tolerated him, because it is hustle bustle, eager beaver—it could take him 3 hours to shave and dress, the way he wants to look like, because he stops and make a phone call, but he was very slow.

Mr. GRIFFIN. Did Jack talk to you at all about Breck Wall that Saturday?

Mrs. GRANT. I think he made a call to him Friday. Was it?

Mr. BURLERSON. Saturday.

Mr. GRIFFIN. Did he talk to you about Wall?

Mrs. GRANT. Yes.

Mr. GRIFFIN. What did he say to you about Wall?

Mrs. GRANT. It seems to me he is out of town.

Mr. BURLERSON. Can I give you some testimony. It might shed some light that might help her?

Mrs. GRANT. Let me explain this. In all sincerity, I am trying to remember. I have a good memory, but I have been sick, and I have been taking pills, and this is the thing that bothers me.

Mr. BURLERSON. Let me say this into the record. I am sure the Commission knows Breck Wall is a client of mine who was running a show at the Adolphus

Hotel here in Dallas, and he closed down because of the assassination, and he went down to Galveston to visit his parents. And Jack called Breck Wall at night on Saturday night.

Mrs. GRANT. That I remember, Galveston.

Mr. BURLESON. And was very, very upset.

Mr. GRIFFIN. When you say late, what time did he call?

Mr. BURLESON. Between 9 and 11, as best I recall, because he called me the next day when Jack was charged, and asked me to go help Jack, and he told me that he talked to him the night before, and he was very upset, and had just seen it on television, and wanted to see if I could help in any way.

Mrs. GRANT. It seems to me he told me—I know the word Galveston, and I didn't know anybody in Galveston, and he said he talked to Breck. Don't ask me what he said, I don't know. I don't know if he was at the club or at home. Where was he?

Mr. GRIFFIN. Mrs. Grant, after he left your apartment, and called you from his own apartment and you told him——

Mrs. GRANT. I want to tell you, I didn't hear from him for at least 2 hours, it seems to me, from the time he left my home Saturday night, at least 2 hours.

Mr. GRIFFIN. You said, when he left your house, he said he had to go downtown and give somebody some money. You said a couple of hours later he called you and you told him go see somebody?

Mrs. GRANT. Yes.

Mr. GRIFFIN. All right, are you sure that when he left your house he said he was going to give somebody some money, or did he tell you that in the telephone call that he made a couple of hours later?

Mrs. GRANT. It seems that he said something about money.

Mr. GRIFFIN. Was that in the telephone call, or when he got to your house?

Mrs. GRANT. It seems to me when he left the house, while he was at the house.

Mr. GRIFFIN. After the telephone call that he made in which you told him to go see somebody, did he call you again?

Mrs. GRANT. Wait a minute, let's get this right. After what?

Mr. GRIFFIN. After the telephone call?

Mrs. GRANT. After 10 o'clock.

Mr. GRIFFIN. Yes.

Mrs. GRANT. Sure, he called me again.

Mr. GRIFFIN. When did he call you again?

Mrs. GRANT. It was almost a quarter to 1, or 20 to 1.

Mr. GRIFFIN. Where was he?

Mrs. GRANT. I thought he was home.

Mr. GRIFFIN. What did he say?

Mrs. GRANT. He asked me how I was.

Mr. GRIFFIN. What did you say?

Mrs. GRANT. Well, I was reading Reader's Digest, and he asked me was I watching television. Yes, I was watching, but I wasn't listening. And he said, "What else? What was happening?" And I said, "Nothing." And I said, "I think they signed off." And they got terrible; they got terrible music on. What I meant to say was, very depressing music. I said it was from 11, only memorial, and it was some singing, I think, and I go on watching him.

No; I don't say I was watching, but they turned it off. I think, all the stations went off early.

Mr. GRIFFIN. When he called you this time, did he say anything to you other than just ask you how you were?

Mrs. GRANT. I can't remember all the conversation. He asked me if I called home or something, did I call somebody, it seems to me, but I am confused on Friday and Saturday.

Mr. GRIFFIN. Are you sure that this telephone call we are now talking about occurred at 1 o'clock Sunday morning, or could it have been 1 o'clock Saturday morning?

Mrs. GRANT. No. [He could of called me both nights; at that time.] The last time I talked to my brother previously to him shooting Oswald was close to 1 o'clock, was more like 20 to 1, or a quarter of 1—it was after 12:30.

Mr. GRIFFIN. How do you place the time?

Mrs. GRANT. Well, because he says to me, "What are you doing?"

My trouble, I have a habit, and this watch stays right there on this long table, and I watch television when it is on.

Mr. GRIFFIN. How long did that telephone call last?

Mrs. GRANT. Not too long.

Mr. GRIFFIN. Did Jack say to you that he was at his apartment?

Mrs. GRANT. No, but it was very quite. I felt he was there alone.

Mr. GRIFFIN. Did he indicate to you he was going to go anyplace after that telephone call?

Mrs. GRANT. No. He could have been at a booth, I don't know.

Mr. GRIFFIN. Did he indicate anything about the Weinstens to you in that telephone call?

Mrs. GRANT. No.

Mr. GRIFFIN. Did he mention the Weinstens to you on Saturday night?

Mrs. GRANT. No. Friday we talked about it. We talked about clubs, and I am sure in the back of his mind he referred to the, what is it, Branch office club.

Mr. GRIFFIN. Did he say anything about doing something to Oswald?

Mrs. GRANT. Never even mentioned his name. Never even watched only the one time Friday. He took a look and said something, "What a creep." He didn't watch television from my house. Now, I don't mean he didn't watch television. If he did, it wasn't that it would have—where he sits, he don't face it like I sit opposite it.

Mr. GRIFFIN. Then the next thing you heard from him, heard about Jack was that he had shot Oswald?

Mrs. GRANT. May I go back to you and tell you all the things that happened Sunday morning? Is that what you want to know?

Mr. GRIFFIN. I am sure I do. Did you remain at your apartment all Sunday morning?

Did you remain at your apartment all Sunday morning?

Mrs. GRANT. Never left it until the time I walked out with Pauline and Bill Rainbow. No, I didn't leave. No, I stayed there. Pauline and that New York reporter—

Mr. GRIFFIN. Jim Underwood? Ike Pappas?

Mrs. GRANT. No. I think his name is something like Denson or Jensen. I think he said New York Times.

Mr. GRIFFIN. At the time were you watching television when your brother shot Lee Oswald?

Mrs. GRANT. Let me explain this. I got up early in the morning. I took a pill. I freshened up myself. I didn't get dressed into my clothes. I went back into the bed. Then I decided to get out, and I turned on television, and all I saw is important people passing the coffin on television, people from all over the world.

I started to put on water, and I didn't feel good, and I was listening, and then all of a sudden they started, they changed the scene themselves, and I saw a guy with, it seems to me a three-quarters length coat with glasses and a lot of hair, and he is talking, and is mumbling.

Mr. BURLESON. Tom?

Mrs. GRANT. I don't know who to this very day. I don't know who they were talking about.

Mr. GRIFFIN. This was on the occasion—

Mrs. GRANT. This was after 11 o'clock now.

Mr. GRIFFIN. But this was how you learned that Jack had shot Oswald?

Mrs. GRANT. Let me explain this. My phone rang, and I heard this guy say—this may be twisting the words around. "There has been a little excitement here," and he stopped and he says, "I think they shot Oswald."

And my phone rang. Leonard Wood was talking to me on the phone. This is all in—whether he was listening to another station, or something, I don't know, and he is talking to me, and what do you think I said to him, I said,

"Leonard, you don't call me every day. Now don't tell me, 'How do you feel, Mrs. Grant?'"

"Fine. Do you know where Jack is at?"

And I said, "No."

Mr. GRIFFIN. Had Leonard tried to call Jack in the morning?

Mrs. GRANT. Now, don't ask me that. I want to tell you. I don't know what he tried to do.

Now, we talked about different things, and then he was almost gone, and hanging on, and he said, "Are you watching television, Mrs. Grant?"

And I said, "Yes."

I was watching, but I wasn't listening.

Mr. GRIFFIN. How soon did you learn that Oswald had been shot?

Mrs. GRANT. I want to tell you how many phone calls I got. This is one for the books. I am talking to him, and I finally said, "Now, listen, Leonard"—I figured he was trying to find Jack to get some money. I said, "Now, listen, Leonard, you know things have been pretty rough in the club, and you got \$10 either last night or the night before."

And he said, "I don't want any money." And he said, "Are you all right?"

And I said, "Yes."

See, he probably—I never got to talk to Leonard. I wish he would come to see me. I don't know whether he knew of something or what, and he was hemming and hawing over the phone, I didn't get a chance to put the phone down a second, not a second. The phone rang and Andy said, "Mrs. Grant, this is Andy. Where is Jack? Is Jack with you?"

And I said, "No. He is at home."

He said, "No, he is not at home."

I said, "Listen, you know when Jack takes a shower—ring him again."

And he said, "I rang four or five times."

I said, "Hang up and call again."

And he said, "Mrs. Grant, I rang."

I said, "If he is in the bathroom, he isn't going to hear the phone." And we talked—I don't know if he knew. I mean, this I found out he knew.

I asked him about 2 weeks later, or a week later, and he knew about it.

Wait a minute, I am not through. The phone rang again, and I want to tell you, you may know I put on water for boiling—Madeline Blainey was on the phone.

By this time I got to the television. I only had to walk from there to a few feet. I had it on that wall, maybe 9 feet, and I turned it up, and this is what I heard, "John Logan, no Jack Luby."

I wanted to back in the kitchen with the phone, and I wasn't walking too much, and I turned it down.

Madeline is on the phone and says, "How do you feel?"

And I said, "Fine." I am talking to her, and I turned the damn thing down.

I saw—this is rerun—if it is, I don't know—I actually saw what the other people saw. This is my conversation with Madeline and why they never went to see her, I will never know.

I am watching it. "Don't forget," I said, you get the name, repeat the two names. But I turned it down, because it was too close to the phone.

I wasn't going to go out of the living room, and I wasn't going to eliminate one or the other. I wanted to be sure I know both things are going on.

I said, "How are you," and she said, "OK, who is there?"

And I said, "Who would be there."

I am wearing my mu-mu my daughter-in-law sent me for Christmas, and I wouldn't dare let anyone in. I am shooting my mouth off about Joe Johnson. I have a great admiration—he's a colored boy been with us 8 years. He told me, "We had a fight, not 130 fights, but a fight."

I said, "Madeline, I want to apologize for sort of neglecting you," because when I was in the hospital, Madeline and Joe came walking in the very same time to visit me in the hospital. Here both walking in. Madeline and I understand, but this is the guy we want as a band leader to come back.

I said, "Joe, take a seat."

I said, "Madeline, I hope you don't resent me talking to Joe about his children," and we talk about his children, and he kept on talking.

She said, "Eva, I don't want to be the one to tell you this. Do you know who did the shooting?"

And I said, "No."

She said, "Jack shot Oswald."

That was the end of me. Now, I never hung up. I never turned my television off. I remember these people, Jim Holland and his wife, Margo, and a fellow who, these people live next door, Jim Reed—the manager had gone away for the day, but I didn't know it. As a rule, she would have heard me. I didn't know for 2 days that she wasn't there Sunday.

I ran to the door, and I don't know what happened—this I tell you. In the first place, no one ever told me. I thought they killed my brother too.

All I know is, I was out of my mind. I ran to the door—I don't usually dress in this—in my mu-mu to meet strangers, but there was such a knock on my door. There were minutes I can't recall.

I will not tell you any stories. I don't know exactly, before I knew it, all I know there were photographers there—and your best guess is to ask Pauline what took place, if you get in touch with her.

I go into the bathroom. I want to change, but instead, I had put a robe on. This is what I think I done.

Whoever talked to me, I thought they said they killed Jack too. I don't know what took place.

Mr. GRIFFIN. Now, Mrs. Grant, what you are telling us now can't affect your brother's case in any way.

Mrs. GRANT. I am not trying to hide anything.

Mr. GRIFFIN. I realize, but I want to tell you—I realize you want to tell us, and I am going to have to cut you off.

I want to explain to you that what you could tell us from here on, since it is all after the fact, is not material relevant to the shooting of Oswald. So, we are at the end really.

Let me ask you this question: Did you talk to your brother at all about the President's visit, expected visit to Dallas before President Kennedy arrived?

Mrs. GRANT. During that week on Monday—now, it may have been Tuesday, Dallas Morning News had a picture of a desk similar to this. Looked like two doors, and little John-John was right here, and the President was back there, and the President was looking at him, and my brother had said, "This guy don't act like a President. He is just like a regular father."

This is what my brother enjoyed.

Mr. GRIFFIN. Did your brother talk to you about going to see the parade?

Mrs. GRANT. No.

Mr. GRIFFIN. Let me ask you if we can do this. You brought a number of items here that you would like us to look at. I don't want to take them from you without making a record.

Mrs. GRANT. I want to sign that paper for you. That is what I want to do.

I think you are being very fair, and I am going to tell you this, there are a lot of things that concern these things, and they are upsetting me because I can't tell them, and I can't leave them here. I know your time is limited.

Mr. GRIFFIN. Let me try and reassure you this way. I think I am going to be back in Dallas, probably once more, and I know that you probably would like to talk to us again, and we will make arrangements to talk to you at that time.

Mrs. GRANT. Well, if you don't talk to me, I am going to Washington, and I am going to do some pretty stiff talking.

Mr. GRIFFIN. We want to hear everything you have to say. I wonder if you would want to send to us the particular things that you want to talk to us about, so we can be prepared to handle them perhaps in a relatively orderly fashion?

Mrs. GRANT. No, I don't want it in any mail.

Mr. GRIFFIN. You don't want to send anything to us?

Mrs. GRANT. Not through the mail.

This is the stuff, take it with you.

Mr. BURLESON. That is the post office package that Jack picked up.

Mr. GRIFFIN. This is the material you had printed?

Mrs. GRANT. Yes.

Mr. GRIFFIN. Okay.

TESTIMONY OF VICTOR F. ROBERTSON, JR.

The testimony of Victor F. Robertson, Jr. was taken at 2:05 p.m., on July 24, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Burt W. Griffin, assistant counsel of the President's Commission.

Mr. GRIFFIN. I will introduce myself again. I am Burt Griffin, and I am a member of the general counsel's staff of the Commission on the Assassination of President Kennedy.

We have a general procedure of giving a little spiel in advance about what we are here for, so I will tell you that the Commission has been set up pursuant to an Executive order of President Johnson and a joint resolution of Congress and we have been directed to investigate and evaluate and report back to the President all the facts that have to do with the assassination of President Kennedy and the death of Lee Harvey Oswald.

We have asked you to come here today because in particular you provided some very helpful information to the FBI.

We want to find out what you can tell us about the events of November 22, 23, and 24. Did you receive a letter from us?

Mr. ROBERTSON. Yes; I did.

Mr. GRIFFIN. Did you receive that 3 days ago or longer?

Mr. ROBERTSON. I received one about 10 days ago just before I left for San Francisco and the convention. This one is dated the 18th.

Mr. GRIFFIN. You are entitled to receive a written notice 3 days before you get here. Do you have any questions that you would like to ask about the deposition that is about to be taken?

Mr. ROBERTSON. None at all.

Mr. GRIFFIN. Would you raise your right hand? Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. ROBERTSON. I do.

Mr. GRIFFIN. Will you state your full name for the court reporter.

Mr. ROBERTSON. Victor F. Robertson, Jr.

Mr. GRIFFIN. Where do you live?

Mr. ROBERTSON. Dallas, Tex.

Mr. GRIFFIN. Could you give us your address?

Mr. ROBERTSON. 414 South Willomet Avenue.

Mr. GRIFFIN. When were you born?

Mr. ROBERTSON. December 17, 1933.

Mr. GRIFFIN. Where are you presently employed?

Mr. ROBERTSON. With WFAA radio and television.

Mr. GRIFFIN. What do you do for them?

Mr. ROBERTSON. I am a reporter.

Mr. GRIFFIN. Are you a news reporter?

Mr. ROBERTSON. Oddly enough, the only way I can clarify it as a reporter, I work covering the city hall beat primarily, and political assignments. I do some work on the air, actually, I am assigned outside the station just as a reporter.

Mr. GRIFFIN. Did you know Jack Ruby before November 22?

Mr. ROBERTSON. Yes.

Mr. GRIFFIN. When had you first met him?

Mr. ROBERTSON. I am not sure I can give even an approximate date. Considerably prior to February of 1963, but how much before, I don't know.

Mr. GRIFFIN. How many times had you seen him before February of 1963?

Mr. ROBERTSON. Perhaps a dozen or two.

Mr. GRIFFIN. How had it been that you had seen him on those various occasions?

Mr. ROBERTSON. One of the men who had been working for our station had an interest in one of the girls who was working in Jack's club.

Mr. GRIFFIN. Which girl was that?

Mr. ROBERTSON. I don't remember her name.

Mr. GRIFFIN. Which employee was that?

Mr. ROBERTSON. She was one of the girls who, I guess, "danced" for Jack. All I can remember about her is that she had at one time worked for Lone Star Cadillac and she quit there and went to work for Jack.

Mr. GRIFFIN. What was the name of the employee who was interested?

Mr. ROBERTSON. Murphy Martin.

Mr. GRIFFIN. Was he employed at the radio station in November?

Mr. ROBERTSON. Yes. He was working for us as our primary newscaster until February of 1963 when he went with the American Broadcasting Co. in New York.

Mr. GRIFFIN. Did he leave Dallas in 1963?

Mr. ROBERTSON. He left; yes.

Mr. GRIFFIN. Had you visited the Carousel with him?

Mr. ROBERTSON. That's right. There were several of us that used to go up there in a group.

Mr. GRIFFIN. After February of 1963, did you have occasion to see Jack Ruby?

Mr. ROBERTSON. Yes. Not frequently. I would see him on the street or up at the city hall or something like that.

Mr. GRIFFIN. Is there anybody that you have confused with Jack Ruby?

Mr. ROBERTSON. No.

Mr. GRIFFIN. Let me ask you, where were you when you first heard that President Kennedy had been shot?

Mr. ROBERTSON. In the phone booth in the Adolphus Hotel.

Mr. GRIFFIN. About what time of the day was that?

Mr. ROBERTSON. It must have been immediately afterward. I had called the station. One of the men in the news room, John Allen, answered the phone, and I told him where I was, and he said, "My God, he's been hit." So far as I know, the phone is still hanging there.

Mr. GRIFFIN. What did you do after that?

Mr. ROBERTSON. I took off on a dead run down Main Street to the Depository.

Mr. GRIFFIN. How long did you remain at the Depository?

Mr. ROBERTSON. Until the call came over the police radio about the officer having been shot.

Mr. GRIFFIN. Then where did you go?

Mr. ROBERTSON. I went out there.

Mr. GRIFFIN. Who did you go out with?

Mr. ROBERTSON. I drove out with Ron Reiland and Hugh Aynesworth of the Dallas Morning News.

Mr. GRIFFIN. Were you driving the automobile?

Mr. ROBERTSON. No; Ron drove.

Mr. GRIFFIN. Did you go out to the scene where Tippit had been shot?

Mr. ROBERTSON. That's right.

Mr. GRIFFIN. When you arrived out there, what did you find?

Mr. ROBERTSON. Perhaps I should correct that. Actually, we went first to a location on West—no; East Jefferson Avenue, not quite opposite the Dudley Hughes Funeral Home where the man who shot Tippit was believed to be in the building. This was approximately a block and a half from the site where Tippit was shot. Then we went to the site where he had been found, and from there to the Texas Theatre.

Mr. GRIFFIN. Did you arrive at the Texas Theatre before Oswald was brought out?

Mr. ROBERTSON. Yes.

Mr. GRIFFIN. Did you see Oswald being brought out of the theatre?

Mr. ROBERTSON. Yes.

Mr. GRIFFIN. What did you observe?

Mr. ROBERTSON. As he was being brought out. He was in the back of the theatre in the center section, perhaps a quarter to a third of the way over from the right-hand aisle as you look down toward the screen.

Mr. GRIFFIN. Did you go into the theatre?

Mr. ROBERTSON. That's right. I was looking through the drapes at the back over the little railing as they arrested him.

Mr. GRIFFIN. Did you arrive before he was actually taken into custody?

Mr. ROBERTSON. Yes.

Mr. GRIFFIN. What did you see the police officers doing as you got there?

Mr. ROBERTSON. It was kind of confused. He rose in his seat and lifted his arm with his pistol just about simultaneously with the time they landed all over him.

Mr. GRIFFIN. Did you hear him say anything?

Mr. ROBERTSON. No.

Mr. GRIFFIN. How far were you from him?

Mr. ROBERTSON. About three or four rows.

Mr. GRIFFIN. How many feet would that be?

Mr. ROBERTSON. Possibly 10.

Mr. GRIFFIN. Did you hear any of the police officers say anything?

Mr. ROBERTSON. The officer in charge said as they were taking him out of the theatre, "Don't let anyone see his face," or words to that effect. "Don't let anyone touch him."

Mr. GRIFFIN. How long were you inside the Texas Theatre before you saw Oswald rise out of his seat?

Mr. ROBERTSON. A matter of a length of time it takes to walk from the door to those curtains and pull them apart. It was a matter of seconds.

Mr. GRIFFIN. In other words, just as you pulled apart the curtains, you were able to see him?

Mr. ROBERTSON. Well, there is a slight delay there. When I arrived inside the theatre, the main portion of the theatre itself with the audience, it was still dark. I think the camera equipment must have been turned off, because I have no recollection of sound, and it was still dark when I opened the curtains. But the lights came on almost immediately, and the screen, of course, was blank at that time, and then again, just seconds, he rose, and they took him in custody.

Mr. GRIFFIN. How close was your photographer to you?

Mr. ROBERTSON. I don't have any idea. He was there someplace shooting his pictures.

Mr. GRIFFIN. Do you know if he got a picture of that episode?

Mr. ROBERTSON. I thought he did until just the other day when they told me he didn't. Apparently the filter in the camera was in the wrong place.

Mr. GRIFFIN. Do you know if Oswald had said something, if you would have heard it from where you were standing?

Mr. ROBERTSON. I don't know.

Mr. GRIFFIN. Were you able to hear the police officers as they were standing next to Oswald some 10 feet away from you?

Mr. ROBERTSON. All I can say about that is, if I heard them, what I heard was not significant, and I don't recall having heard anything. I mean, there obviously was noise connected with it, but I don't know.

Mr. GRIFFIN. If Oswald had said something and you had heard it, do you think you would have remembered it?

Mr. ROBERTSON. If it had any significance to me, yes; but I really don't know.

Mr. GRIFFIN. At the time you opened up the curtains and looked out, did you have any idea that this might be the man who would be accused of shooting the President?

Mr. ROBERTSON. If I hadn't, I wouldn't have been there.

Mr. GRIFFIN. What did you do after Oswald was apprehended and taken out of the theatre?

Mr. ROBERTSON. Well, we followed the officers and Oswald out of the theatre and then they put him in the squad car and drove downtown. We got our own

car and returned to the station to leave the photographer, and then I went on down to the police station.

Mr. GRIFFIN. How much later was it that you arrived at the police station after Oswald was apprehended?

Mr. ROBERTSON. Judging by normal driving time, half an hour or 45 minutes.

Mr. GRIFFIN. What did you do at the police station?

Mr. ROBERTSON. Stood in the hall and asked questions of those people I knew, and listened to what was going on.

Mr. GRIFFIN. Did you have dinner that night?

Mr. ROBERTSON. Yes; one of the fellows in the auto theft bureau bought some hamburgers and brought them up there.

Mr. GRIFFIN. You never left the building?

Mr. ROBERTSON. No; depending on what you mean here. I was not in that hall all the time. There were times that I was in the new section of the municipal building adjacent, in the city manager's office, because the police department was reporting to him.

Mr. GRIFFIN. You are referring to Elgin Crull?

Mr. ROBERTSON. Yes.

Mr. GRIFFIN. Were you present at the time when they were reporting to him?

Mr. ROBERTSON. Yes.

Mr. GRIFFIN. Can you tell us about what kind of action they were reporting and what sort of control he was exercising over them?

Mr. ROBERTSON. I had the impression that their reports were advisory. They were keeping him posted as to how the investigation was progressing. There was one officer and I am not certain which one, who talked rather loud, and Mr. Crull had to hold the phone some distance from his ear in order to be comfortable. And it was as a result of that that I learned that they were definitely going to file both charges against Oswald.

Mr. GRIFFIN. Do you remember when it was that you learned that, approximately?

Mr. ROBERTSON. Approximately 3:15 in the afternoon.

Mr. GRIFFIN. But the charges were not charged against Oswald until much later that night, isn't that right?

Mr. ROBERTSON. That's right.

Mr. GRIFFIN. How did you place it at approximately 3:15 in the afternoon that the decision to file had been made?

Mr. ROBERTSON. I don't know how I placed it. This I can't correlate in regard to anything else. If I could—now I assume I must have looked at a clock about that minute, because there has never been any question as to what the time was.

Mr. GRIFFIN. Were you making notes as you were at the city hall in following out your assignment?

Mr. ROBERTSON. No.

Mr. GRIFFIN. Were you reporting back to anybody who was making any record of what you were observing?

Mr. ROBERTSON. I was reporting back to Mr. Walter Evans of our station, who at that time was the radio news director, keeping him advised of the information that I gathered, some of which we published and some of which we did not.

Mr. GRIFFIN. You indicated when you talked to the FBI that you saw Jack Ruby sometime on November 22.

Mr. ROBERTSON. That's correct.

Mr. GRIFFIN. How do you place the time at which you saw him?

Mr. ROBERTSON. Well, it was after 3:15. I can't place the time accurately. I have tried to do so in my own mind. I am reasonably certain before I had this opportunity to eat, which my best estimate is after 7 o'clock, and before 8 o'clock. As I say, it was definitely after 3:15 after I had learned about the other. Between this time, I am at a loss.

Mr. GRIFFIN. Can you place it in terms of the press conference that Henry Wade held on Friday night?

Mr. ROBERTSON. It was before that.

Mr. GRIFFIN. How much before that?

Mr. ROBERTSON. Well, I got the impression it was a considerable time before that, although time seemed very long in that afternoon and evening.

Mr. GRIFFIN. Do you recall when Henry Wade and Chief Curry walked out of Captain Fritz' office and the reporters crowded around and the decision was made to go down to the assembly room? Were you present at that time?

Mr. ROBERTSON. No; I was not. I was on the telephone in another room and I didn't see Mr. Wade come out of Captain Fritz' office.

Mr. GRIFFIN. Well, after you got off that telephone, what did you do?

Mr. ROBERTSON. I learned that they were holding the press conference down in the basement, but I did something else first rather than go down there, because we had a man down there on television. I don't recall just what else it was, but I had something I wanted to check on, so subsequently I went downstairs and I talked with Henry after the thing was over, briefly.

Mr. GRIFFIN. Would there be any possibility that you saw Jack Ruby between the time you got off the telephone call and went down to the basement?

Mr. ROBERTSON. No.

Mr. GRIFFIN. Let's try to work backwards. Before you made this telephone call, do you recall what you had been doing? What did you make the telephone call about?

Mr. ROBERTSON. I have no recollection of that at all. It was one of a series of telephone calls that I can't even give you any idea of how many, which was just a continual feeding of information into Walter Evans, and then trying to determine between ourselves which of this was valuable enough to publish and something that I would report on and what we ought to sit with until we got more confirmation, and that sort of thing.

Mr. GRIFFIN. Are you able to pinpoint time at all between the time you had your sandwich or hamburger and the time you made that telephone call?

Mr. ROBERTSON. Not in my own mind. Perhaps there is. If it is any help to you, if you have information on time which can go with this, it may narrow it down. It was before the police department changed for the first time their shift on guard at Captain Fritz' door. It was, I am reasonably certain, during the first shift of the two officers.

Mr. GRIFFIN. Do you know the officers who were on guard?

Mr. ROBERTSON. No; I do not. I believe—let me stress that word because I may be wrong about this, that it was after the first session of interrogation in Captain Fritz' office. Whether it was while Oswald was upstairs, or after he had been brought back, I am not certain, but I believe it was after the first session of interrogation.

Mr. GRIFFIN. Well, is there any question in your mind about that man that you did see was Jack Ruby up there on the floor?

Mr. ROBERTSON. No; I have no doubts.

Mr. GRIFFIN. Suppose I told you that we interviewed the police officers who were on guard, and one of them says he recalls a man, who says he recognized Ruby, that he recalls a man who looks like Ruby, but it wasn't Ruby, come up and do what you have previously described to the FBI, and go on. Would that shake your judgment in any way?

Mr. ROBERTSON. No. I don't, of course, claim that I cannot make a mistake. In my judgment, the man I saw was Jack Ruby. I know no one else who looks like that. Obviously, I could have been mistaken, but I don't believe so.

Mr. GRIFFIN. Tell us what you think Jack Ruby, the man you think was Jack Ruby, what you recall him doing.

Mr. ROBERTSON. He walked up to the door of Captain Fritz' office and put his hand on the knob and started to open it. He had the door open a few inches and began to step into the room, and the two officers stopped him. I was reasonably certain one of them, or some voice at that time had said, "You can't go in there, Jack." And the man in question, if it was not Jack Ruby, turned around and passed some joking remarks with a couple of people who were there, I don't know who, and went back down the hall toward the elevator.

Mr. GRIFFIN. Do you recall how Jack Ruby was dressed on that occasion?

Mr. ROBERTSON. No. All I saw was his head; as you know, he is a comparatively short man. I saw him through a break over some people's shoulder, and all I saw was about, well, from the shoulders. Not all of the shoulders, but a portion of the shoulders, the neck and the head.

Mr. GRIFFIN. Did you see him; did you get a full front face view of him?
Mr. ROBERTSON. No. He was in profile.

Mr. GRIFFIN. Where were you standing in relationship to the homicide door and the main elevator, public elevator?

Mr. ROBERTSON. I was standing almost immediately opposite Captain Fritz' door. Perhaps a matter of 2 feet beyond it toward the pressroom, which is opposite, the opposite direction of the elevators. As this happened, I stepped closer, and ultimately was on the elevator side of Captain Fritz' door about the middle of the hall.

Mr. GRIFFIN. Did you follow Ruby on down the hall to see where he went?

Mr. ROBERTSON. No; I didn't.

Mr. GRIFFIN. Do you know how many feet he would have walked before he got out of sight?

Mr. ROBERTSON. No. He was out of my sight almost instantly in that melee.

Mr. GRIFFIN. So when you say he walked on down the hall, could it have been that he just walked a few feet and stopped?

Mr. ROBERTSON. It could have been; that's right.

Mr. GRIFFIN. Did you ever see him come back down the hall in the other direction?

Mr. ROBERTSON. No.

Mr. GRIFFIN. How long did you remain at your position after you saw Ruby?

Mr. ROBERTSON. I have no idea. Considerable length of time.

Mr. GRIFFIN. What were you standing there for?

Mr. ROBERTSON. Trying to get a chance to talk to Bill Alexander.

Mr. GRIFFIN. Was Alexander inside Fritz' office at that time?

Mr. ROBERTSON. I wasn't certain whether he was at that time or not.

Mr. GRIFFIN. Did you subsequently find out he was in there?

Mr. ROBERTSON. I subsequently saw him.

Mr. GRIFFIN. Where did you see him?

Mr. ROBERTSON. I saw him coming out of Captain Fritz' office later. But now I have no idea how much later. I don't know whether he had gone in in the meantime, or not.

Mr. GRIFFIN. I take it that you may have walked away and come back?

Mr. ROBERTSON. That's right.

Mr. GRIFFIN. What made you think Alexander was inside Fritz' office?

Mr. ROBERTSON. Somebody had said so; I assume.

Mr. GRIFFIN. So that if we knew when Alexander was at the police station, we might have a more accurate estimate?

Mr. ROBERTSON. He was in and out several times throughout the evening. As a matter of fact, I saw him three or four times up until late in the evening.

Mr. GRIFFIN. At the time you saw Ruby, do you recall any of the other news representatives who were around there?

Mr. ROBERTSON. No. There was a whole hall full, and I recall some of the people who were in the hall, but not necessarily in connection with that particular instant.

Mr. GRIFFIN. Now, I believe that the first time you were interviewed by the FBI was on January 17, 1964. Do you recall being interviewed by an FBI agent by the name of Scott?

Mr. ROBERTSON. Yes.

Mr. GRIFFIN. How did you happen to be interviewed?

Mr. ROBERTSON. I believe they called me and asked when I could be.

Mr. GRIFFIN. At that point, had they had any information that you had seen Ruby up there?

Mr. ROBERTSON. I don't know.

Mr. GRIFFIN. I believe that there did come a time after these events occurred that you made a radio tape recounting your experiences of the 3 days?

Mr. ROBERTSON. That's right.

Mr. GRIFFIN. When was that tape made? I don't ask for the exact date, but approximately.

Mr. ROBERTSON. I don't know. At the time this question arose and the Commission asked the FBI if they would look into it further, Agent Drain contacted us and we tried to recall at that time precisely when the tape had been

made, and couldn't do so. To the best of our recollection, it was sometime around the first of the year.

Mr. GRIFFIN. Would your best estimate be that at least a month passed before you made this tape?

Mr. ROBERTSON. I believe so.

Mr. GRIFFIN. Now on Sunday, November 24, after Ruby shot Oswald, did you report to anybody in your station that you had seen Ruby?

Mr. ROBERTSON. Yes.

Mr. GRIFFIN. Who did you tell that to?

Mr. ROBERTSON. To Walter Evans.

Mr. GRIFFIN. Was this used in any way as part of a newscast?

Mr. ROBERTSON. I doubt that it would have been used for a newscast. I had been under the impression that I had mentioned it in connection with a wrap-up broadcast that we had done shortly after the events, within a week or so. When all of this came up, I mentioned that, and Walter said that he recollects it was not included in that, and I believe he checked the material. But I had thought we had. I thought I talked about it at that time.

Mr. GRIFFIN. As you think back over how your own recollection of this event has evolved, have there been any changes in your mind about, in other words, as you first reported this to Evans? Has there been any difference in your conception of what had happened when you reported on it to Evans, as opposed to what it is now in your mind?

Mr. ROBERTSON. You mean have the events or descriptions changed any?

Mr. GRIFFIN. What I mean to say is, very often the first time we think about this, we will describe it in one way, and then as we think about it and talk about it again, why in our own mind it changes and our description changes. Has that happened in connection with this event at all?

Mr. ROBERTSON. If it has, I am not aware of it. The only way in which I would say some sort of mutation of this sort has taken place is that, looking back from this perspective, I don't feel so greatly that thundering herd in the hall as I did at that time. I am further removed and it seems more of an abstraction. It was at the time, frankly indescribable, in my judgment. But other than that, I can't recall.

Mr. GRIFFIN. You mentioned when you talked with one of the FBI agents that in the time you had seen Ruby, you had seen him bawling out his fellow employees. Can you give us some specific instances of that?

Mr. ROBERTSON. I remember one particular—I am sorry I can't say when—I can't even say which girl it was—and I recall I only heard a portion of the conversation. Apparently the girl had been running around with someone of whom Jack didn't approve, and the gist of the conversation, as I understood it at the time, and this was fragmentary, was you either leave this guy alone or find some place else to work.

Mr. GRIFFIN. Let me ask you if you know any of these people. Do you know Ruby's stripper, Little Lynn?

Mr. ROBERTSON. No.

Mr. GRIFFIN. Did you know her before November 22?

Mr. ROBERTSON. Not as far as I know. I don't know her now.

Mr. GRIFFIN. Did you know his stripper, Kathy Kay?

Mr. ROBERTSON. No.

Mr. GRIFFIN. How about Tammi True?

Mr. ROBERTSON. No.

Mr. GRIFFIN. Do you know his roommate, George Senator?

Mr. ROBERTSON. No; I never met Senator.

Mr. GRIFFIN. Were you downtown at all on Saturday, November 23?

Mr. ROBERTSON. No.

Mr. GRIFFIN. Have you heard any information which might indicate how Ruby got into the police department on Sunday morning?

Mr. ROBERTSON. I heard one story, and I have no idea whether there is any validity to it or not. The story I heard was that he had gained entrance to the basement by helping a camera crew push a camera down the ramp, that he had attached himself to the crew pushing the camera, and got in that way.

Mr. GRIFFIN. Have you heard anything that would indicate that any police officer gave him any assistance or any advice?

Mr. ROBERTSON. No.

Mr. GRIFFIN. I am going to mark for the purpose of identification a copy of the interview report that the FBI made after talking with you. The first one is a report made by Special Agent Paul Scott of an interview he had with you on January 17, 1964, and it consists of three pages, and are numbered at the bottom of the page, 10, 11, and 12, and I am going to mark this at the top "Victor Robertson, Deposition, July 24, 1964, Exhibit No. 1." I would like you to look at it, Mr. Robertson, and read it over and tell me if there are any changes or corrections that you would make in it. I really have particular reference to whether or not that is an accurate report of what you said at the time.

Mr. ROBERTSON (after reading report). The only comment I would make about the report is that where it says, "While at Houston Street with Hugh Aynesworth, a WFAA photographer, he heard on a police radio that Officer Tippit had been shot in Oak Cliff, and he and Aynesworth proceeded to Oak Cliff." Aynesworth was not the photographer. There were two separate people. The other thing I would comment on is, in the second paragraph, Mr. Scott reports accurately that I had seen Ruby, and said sometime possibly between 5 and 7 p.m., which is what I told him and was my best judgment as to the time, although it may have been slightly somewhere between 3:15 and 7 or 8 p.m. That is what I told him and I answered to my best judgment on it.

Mr. GRIFFIN. In light of the conversation that we have had today, is that still your best judgment or would you narrow it in some other way?

Mr. ROBERTSON. I can't narrow it. The only thing that I can do is really broaden it to be sure that it is comprehensive.

Mr. GRIFFIN. What is the latest you would place it at?

Mr. ROBERTSON. I believe the latest possibly would have been 7 or 7:30 p.m.

Mr. GRIFFIN. Let me hand you what I have marked as Victor Robertson's Deposition, July 24, 1964, Exhibit No. 2. This is a document that consists of two pages, and it is an interview report by FBI Agent Vincent E. Drain, of an interview he had with you on June 9, 1964. I ask you to read it and comment on that in the same way that you did on the first one.

Mr. ROBERTSON (after reading report). The only comment I would make on this is at the end of the second paragraph. Mr. Drain has stated that the first time Ruby was mentioned by him was on a portion of the time that he reported in late December, 1963, etc., etc. This apparently is Vincent's report of the consensus that was true at the time. As I said, I mentioned to him I thought I had had it in the earlier broadcast, but Walter Evans said it had not been. The other observation I would make is that I don't recall having said between 5 and 6 o'clock. I thought I had said between 5 and 7.

Mr. GRIFFIN. All right, let me ask you then if you will sign each of these exhibits up near the top where I have marked them.

Mr. ROBERTSON. Is this all right?

Mr. GRIFFIN. Any place that is conspicuous.

Mr. ROBERTSON (initials).

Mr. GRIFFIN. Thank you very much. I appreciate your taking out this time.

Mr. ROBERTSON. My pleasure. If there is anything else I can do, let me know.

TESTIMONY OF FREDERIC RHEINSTEIN

The testimony of Frederic Rheinstein was taken at 10:30 a.m., on July 22, 1964, at 120 Linden Avenue, Long Beach, Calif., by Mr. Joseph A. Ball, assistant counsel of the President's Commission.

Frederic Rheinstein, called as a witness herein, having been first duly sworn was examined and testified as follows:

Mr. BALL. Will you state your name, please?

Mr. RHEINSTEIN. Frederic Rheinstein.

Mr. BALL. And you have been requested to give your testimony in this matter, haven't you, by a letter? Did you receive a letter?

Mr. RHEINSTEIN. No, sir.

Mr. BALL. You haven't been advised of the rules of the Commission?

Mr. RHEINSTEIN. No, sir.

Mr. BALL. Well, you are willing to testify, though, aren't you?

Mr. RHEINSTEIN. I am.

Mr. BALL. The purpose of the Commission is to investigate into the facts surrounding the assassination of President Kennedy, and in the course of that investigation there is also an investigation into the murder of Oswald at the police station in Dallas.

Now, what is your occupation?

Mr. RHEINSTEIN. I am a producer-director for NBC News.

Mr. BALL. How long have you been with NBC News?

Mr. RHEINSTEIN. Well, I have been with NBC 15 years, and with NBC News about 8.

Mr. BALL. And what is your age?

Mr. RHEINSTEIN. Thirty-six.

Mr. BALL. What was your education before you went with NBC?

Mr. RHEINSTEIN. I have a bachelor of arts degree from Princeton University.

Mr. BALL. And you went with NBC after your graduation?

Mr. RHEINSTEIN. Right.

Mr. BALL. And you have been with them ever since?

Mr. RHEINSTEIN. Right.

Mr. BALL. Where do you live?

Mr. RHEINSTEIN. 4906 Encino Avenue, Encino, Calif.

Mr. BALL. Were you in Dallas on the 22d of November 1963?

Mr. RHEINSTEIN. Starting at approximately 5 o'clock Dallas time.

Mr. BALL. And that was on a Friday, was it not?

Mr. RHEINSTEIN. Yes, sir.

Mr. BALL. And did you commence broadcasting about that time?

Mr. RHEINSTEIN. Yes, sir.

Mr. BALL. Where?

Mr. RHEINSTEIN. From WBAP Fort Worth, Tex., which is the NBC affiliate for the Dallas area.

Mr. BALL. And at any time later did you go over to Dallas with a sound truck?

Mr. RHEINSTEIN. Very early Saturday morning we took a WBAP remote television truck to the city jail in Dallas, I would guess at approximately 7:30 in the morning.

Mr. BALL. Where did you park the truck, just describe it in general?

Mr. RHEINSTEIN. Approximately in front of the entrance to the city hall and directly adjacent to the ramp to the police department basement.

Mr. BALL. That's good enough.

Mr. RHEINSTEIN. With the front of the truck facing the Hilton Hotel.

Mr. BALL. Now, it was reported that during the day a man was around your sound truck, you saw him around there several times, and that you noticed him particularly because he was there around your sound truck three or four times; is that right?

Mr. RHEINSTEIN. Yes, sir.

Mr. BALL. Then later on, the next day, on Saturday when you saw his picture—

Mr. RHEINSTEIN. Excuse me, Sunday.

Mr. BALL. On Sunday?

Mr. RHEINSTEIN. Yes.

Mr. BALL. On Sunday when you saw his picture you thought that you identified him as the man who had been around your truck; is that right?

Mr. RHEINSTEIN. Right.

Mr. BALL. And who was that?

Mr. RHEINSTEIN. That was Jack Ruby.

Mr. BALL. In other words, it's your impression that you saw Jack Ruby around your sound truck on Saturday, November the 23d?

Mr. RHEINSTEIN. Right.

Mr. BALL. About when is the first time that you saw him there?

Mr. RHEINSTEIN. To the best of my recollection, I would say it was late morning.

Mr. BALL. Before lunch?

Mr. RHEINSTEIN. Before lunch.

Mr. BALL. And just tell in your own words what you noticed then and what he did and what you saw.

Mr. RHEINSTEIN. My initial impression of Ruby was that a man, whom we later identified as Ruby, put his head through the open window of our remote truck very near the television monitors and was interestedly watching the pictures on the monitor. He caused me to look up because in putting his head through the window he put aside a curtain allowing light into the otherwise darkened truck.

Mr. BALL. How close were you to him at that time?

Mr. RHEINSTEIN. I would say about 3 feet. No more than 3 feet. He made no impression, because there had been several other people who had done this; not a large number of people, but it was an irritant, so his face became fixed. Do you want me to go on?

Mr. BALL. Yes; go ahead.

Mr. RHEINSTEIN. Subsequently, in walking around outside the truck later I saw the same man, and I believe in person twice more and I believe I saw him during the day on our television monitors, which were not at the time necessarily being broadcast, although they were being taped possibly back in Fort Worth, but the electronic cameras are on all the time and this man passed by. He was later pointed out——

Mr. BALL. By "passed by," you mean on the sidewalk?

Mr. RHEINSTEIN. No; in the corridors.

Mr. BALL. Oh, in the corridors?

Mr. RHEINSTEIN. In the corridors.

Mr. BALL. What floor?

Mr. RHEINSTEIN. We had cameras on the third floor and cameras on the ground floor.

Mr. BALL. Now, you believe——

Mr. RHEINSTEIN. I would say both times when we saw him he was on the third floor.

Mr. BALL. And he passed the cameras?

Mr. RHEINSTEIN. Right.

Mr. BALL. And that was during the daytime or evening?

Mr. RHEINSTEIN. That would all be during the daytime on Saturday.

Mr. BALL. And would that be in the morning or the afternoon that you saw him?

Mr. RHEINSTEIN. It would be in the morning and in the afternoon. The most pointed appearance, or the most memorable appearance of his followed an incident that took place thusly—do you want me to go ahead?

Mr. BALL. Yes; go ahead.

Mr. RHEINSTEIN. An unidentified WBAP engineer alleged that the man we had seen around the truck, subsequently identified as Ruby, had taken one of the fried chicken dinners which had been brought into the truck for the WBAP crew. This allegation was made when he was seen on the third floor going into an office in which District Attorney Henry Wade was purportedly working. The reason this was significant was that reporters had not been permitted inside that office, and this man whom the cameraman pointed out as the same one who had earlier been around the truck had gained access where newsmen had been unable to gain access.

Mr. BALL. Now, would that be after lunch?

Mr. RHEINSTEIN. That would be after lunch, because this was all tied up with he being the fellow who allegedly took the fried chicken dinner.

Mr. BALL. And you had ordered the fried chicken for your lunch, had you?
Mr. RHEINSTEIN. We had ordered 14 fried chicken dinners to feed the group.
Mr. BALL. All right. Now, this incident, then, must have occurred in the afternoon of the 23d of November?

Mr. RHEINSTEIN. Right.

Mr. BALL. And did you see it on your screen?

Mr. RHEINSTEIN. I saw the man who I am reasonably certain was Ruby go into a door where Henry Wade purportedly was. I did not see him come out.

Mr. BALL. He went in, but you didn't see him come out?

Mr. RHEINSTEIN. He went in. He was later reported to have come out and he was followed in about 10 minutes by District Attorney Wade who then became available for questioning by newsmen.

Mr. BALL. Was it reported or did anybody tell you, any of your men tell you why this man had gone into Wade's office?

Mr. RHEINSTEIN. The cameraman and stage manager reported to me on the earphones that this man, who was never, by the way, identified by name, always referred to as "the creep who was down at the truck," had told them that he knew Wade personally and he could get some information for us or he could get him to come out and talk to us. Both during that day and, of course, during the following days, in discussions with the newsmen around there, there seems no question about the fact that the most distinguishing thing about Ruby was his desire to be friendly with the press and also to indicate that he had an entree—not necessarily influence, but an entree into the police rooms and premises at city hall.

Mr. BALL. Now, did you see him later that day in or around your truck?

Mr. RHEINSTEIN. The last time we would have seen him—the last time I saw him either in person or on the television screen was when he walked in the door where Wade allegedly was.

Mr. BALL. And that was in the afternoon?

Mr. RHEINSTEIN. That would be in the afternoon; right.

Mr. BALL. Before dinnertime?

Mr. RHEINSTEIN. Oh, yes; it would have been, because we left there at 5:30, to go to WBAP to continue broadcasting.

Mr. BALL. Then it would have been before 5 that you saw him go into Wade's office?

Mr. RHEINSTEIN. Yes; I would say so. Certainly before 6.

Mr. BALL. And how many times do you think you saw him on the street, on the sidewalk?

Mr. RHEINSTEIN. I would say once on the sidewalk, once in the truck—or once poking his face into the truck, and twice with our cameras.

Mr. BALL. And the entire span of time, then, was sometime late in the morning until not later than 5 in the afternoon?

Mr. RHEINSTEIN. Five to six; right.

Mr. BALL. Now, you mentioned the fact that you didn't know this man's name that you saw these several times.

Mr. RHEINSTEIN. No; I didn't.

Mr. BALL. And the next day you did alone identify the picture of Ruby as the man you had seen the day before, or were there some others who agreed with you that they had seen him?

Mr. RHEINSTEIN. There were a good number of the men of the same crew that identified him.

Mr. BALL. Tell me, when was it that you did identify him, tell me the circumstances.

Mr. RHEINSTEIN. We identified him—the first time we took a good look at his face, at his picture, was a mug shot which was a front and profile shot which somebody obtained while still wet on the third floor of the Dallas Police Department, and our reporter was Pettit, Tom Pettit, and he held the mug shot in front of the electronic camera where it was transmitted to a tape machine where it was taped, and on both looking at it at the first time and on subsequent replays of the tape we were certain that this was the man we had seen around the truck. We certainly had his name almost immediately, because as soon

as he was shot a number of people recognized him and we got the name right to our reporter, who was actually there while he was shot, which was Tom Pettit.

Mr. BALL. Then the first time you heard his name was on Sunday after the shooting?

Mr. RHEINSTEIN. We had his name about 10 minutes or less than 10 minutes after he shot him, actually. NBC did, and we were late because we were all out-of-townners.

Mr. BALL. Then when you saw the mug shot, when your group saw the mug shot on a replay of the tape you knew the name of the man?

Mr. RHEINSTEIN. Yes.

Mr. BALL. Now, how many of you were around the camera or how many of you saw the mug shot?

Mr. RHEINSTEIN. I would guess the discussion was had with about four or five people. Basically the men who work in the truck. And, I'm sorry, I can get the names of the men who were there for you, but I——

Mr. BALL. You don't have the names now?

Mr. RHEINSTEIN. There are too many trucks and too many things. There would be a switcher and a director and a video engineer and an audio man.

Mr. BALL. They were all Fort Worth people, were they?

Mr. RHEINSTEIN. All WBAP, Fort Worth, and they were the same group who had been with us constantly. And there was a technical supervisor who also was there. I can put their faces to you, but I can't give you their names.

Mr. BALL. You don't remember their names. Now, I will turn to another subject, Mr. Rheinstein. Did you go in the police building on Saturday and on Sunday?

Mr. RHEINSTEIN. Yes.

Mr. BALL. You weren't there on Sunday, were you?

Mr. RHEINSTEIN. Yes.

Mr. BALL. You were at the police building on Sunday?

Mr. RHEINSTEIN. Oh, yes.

Mr. BALL. Where were you?

Mr. RHEINSTEIN. Well, I had two mobile units on Sunday morning because they were moving him from the city to the county. I started at the city, made sure the cameras were all in place and——

Mr. BALL. That's in the basement of the city hall?

Mr. RHEINSTEIN. Yes. One was in the basement, two were actually on the third floor, and, as a matter of fact, what we were trying to do was move one of the cameras from the third floor down to the basement, so I left instructions to do that and went down to the county jail where we had another mobile unit, for the first time, and we had a communications setup where I would, since I knew everything, I would call the shots, so to speak, from the county. Right before they were going to move him I came back for a last minute check at the city jail, and actually at the time of the shooting I was at the county jail. About 30 minutes later, 40, 40 minutes probably, after the shooting, and after we went off the air, I came back, we dispatched the county jail unit to the hospital and I came back and operated once again out of the city jail, so I was there a number of times.

Mr. BALL. You were at the county jail, then, at the time of the actual shooting?

Mr. RHEINSTEIN. At the time of the shooting I was calling the shots in the other mobile unit.

Mr. BALL. All right. Now, on Saturday when you went into the various parts of the building that were being used by the Dallas Police Department, were you ever asked to identify yourself in order to get in?

Mr. RHEINSTEIN. I think conceivably once I was asked to show a credential.

Mr. BALL. What about on Sunday morning when you went into the basement?

Mr. RHEINSTEIN. No.

Mr. BALL. Were you asked to show a credential?

Mr. RHEINSTEIN. No. In fairness to the Dallas Police Department, I would

offer the fact that a guy who has been out there in a mobile unit for over the period of time I was there, I was recognized.

Mr. BALL. As a man with NBC?

Mr. RHEINSTEIN. As a man with NBC.

Mr. BALL. I see.

Mr. RHEINSTEIN. And as a director, you know.

Mr. BALL. Now, did you go down the ramp in the morning, on Sunday morning?

Mr. RHEINSTEIN. Yes.

Mr. BALL. Did you walk down the ramp?

Mr. RHEINSTEIN. Yes.

Mr. BALL. Were you alone at that time?

Mr. RHEINSTEIN. I had a cameraman with me.

Mr. BALL. Did you have a camera?

Mr. RHEINSTEIN. Well, the electronic camera was already down there, although later on I supervised the moving of a camera down there.

Mr. BALL. Did you have a badge on display?

Mr. RHEINSTEIN. No.

Mr. BALL. Did the cameraman have a badge on display?

Mr. RHEINSTEIN. No. This was one of our problems, because after the shooting they insisted on badges and the WBAP—although I carry a Los Angeles Police Department Badge, which proved sufficient, the WBAP men had no identification.

Mr. BALL. Now, I have the first name of a cameraman at WBAP, Herman.

Mr. RHEINSTEIN. Yes; that's the wrong first name, it's Homer.

Mr. BALL. Homer?

Mr. RHEINSTEIN. And I still can't remember the last name. But he and I, Belli subpoenaed he and I down in Dallas on the trial. We never got on the stand. I can't think of his name.

Mr. BALL. Then there was a reporter named Pettit, you have mentioned his name.

Mr. RHEINSTEIN. Tom Pettit; right.

Mr. BALL. Then a film man from Shreveport, La.

Mr. RHEINSTEIN. Whose name still escapes me.

Mr. BALL. He is a free lancer?

Mr. RHEINSTEIN. Right.

Mr. BALL. And he was just working for you that day?

Mr. RHEINSTEIN. He was working over that 3-day period.

Mr. BALL. As a film man for you?

Mr. RHEINSTEIN. Right. Either of these men's names are available if you want to call up.

Mr. BALL. Would you do that and call it in?

Mr. RHEINSTEIN. I sure will.

Mr. BALL. I think that's all. Is there anything else you would like to tell us or that you think would be of any assistance to us in the investigation? Do you know anything else other than what you have already told us about the problem?

Mr. RHEINSTEIN. I really don't. I really don't. You know, I don't think this is particularly valid for the record, but my overall impression was that Ruby had no particular in with the Dallas police, he was—if you work in the news business there is a type, and you know this a lot better than I do, who enjoys authority, and to ingratiate himself into what he considers high places he does almost anything. The general attitude of the police and the people of the Dallas press and whatnot of Ruby is that he was sort of a nuisance, but an omnipresent nuisance, you know, he was the kind of guy you just accepted there, and I have always said this is just the kind of guy who becomes practically inconspicuous because he is well enough known as a nuisance type, and I have always—my own personal conviction, which is worth absolutely nothing, is that if there had been not a newsman in the place, somebody would have been sure to find Ruby there and pushed him out of the way, but Ruby would have been able to get in simply because he was such a familiar type, you know, everybody there just knew who he was. I never found anybody who said anything endearing about him. That's all I can say.

Mr. BALL. That's all, then, I guess.

TESTIMONY OF ICARUS M. PAPPAS

The testimony of Icarus M. Pappas was taken at 9 a.m., on July 29, 1964, at 200 Maryland Avenue NE., Washington, D.C., by Mr. Burt W. Griffin, assistant counsel of the President's Commission.

Mr. GRIFFIN. I want to introduce myself for the record.

My name is Burt Griffin. I am a member of the advisory staff of the general counsel's office of the President's Commission on the Assassination of President Kennedy. The Commission was set up pursuant to an Executive order of President Johnson and a joint resolution of Congress, in November of last year. As you probably know, the Commission has been directed to investigate the assassination of President Kennedy and the death of Lee Harvey Oswald, and to report back to President Johnson on all the facts we are able to determine.

We have asked you to come here in particular this morning, Mr. Pappas, because you were in Dallas on the 22d, 23d, and 24th, and you had occasion to meet Jack Ruby.

Now, under the rules of the Commission, I have been specifically designated to take your deposition. I might also add that under the Commission's rules, you are entitled to receive a 3-day notice in writing before you appear here. So I would ask you at the outset if you did receive a letter from us and when it was that you actually received it.

Mr. PAPPAS. Yes; actually, I received it Monday afternoon, this being Wednesday.

Mr. GRIFFIN. Then we have not complied with the 3-day notice requirement. But I see you are here. And I presume you are willing to waive the notice requirement.

Mr. PAPPAS. Oh, yes; that is why I came here.

Mr. GRIFFIN. Did you have any questions you would want to ask me about the deposition we are going to take before we get into it?

Mr. PAPPAS. I don't think so. I think I may have a question as we go along.

Mr. GRIFFIN. Feel free to ask it.

If you will raise your right hand—do you solemnly swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. PAPPAS. I do.

Mr. GRIFFIN. Would you state for the record your name?

Mr. PAPPAS. Icarus M. Pappas.

Mr. GRIFFIN. Where do you live now?

Mr. PAPPAS. 301 East 48th Street, Manhattan.

Mr. GRIFFIN. New York?

Mr. PAPPAS. New York City.

Mr. GRIFFIN. Were you living there in November of 1963?

Mr. PAPPAS. Yes.

Mr. GRIFFIN. And where were you employed at that time?

Mr. PAPPAS. WNEW Radio.

Mr. GRIFFIN. Are you still employed there?

Mr. PAPPAS. Yes.

Mr. GRIFFIN. Is that a New York radio station?

Mr. PAPPAS. Yes.

Mr. GRIFFIN. Now, did you happen to be in Dallas on the 22d of November?

Mr. PAPPAS. Yes.

Mr. GRIFFIN. When was it that you arrived in Dallas?

Mr. PAPPAS. Approximately 8 p.m., Dallas time.

Mr. GRIFFIN. Is that when you arrived at the airport?

Mr. PAPPAS. Yes.

Mr. GRIFFIN. Did you go to the Dallas Police and Courts building some time later that evening?

Mr. PAPPAS. Yes. It was the city hall.

Mr. GRIFFIN. About how long did it take you to get out there? When would you expect you arrived?

Mr. PAPPAS. Roughly 8:30, 8:20. It took us as long as it takes to get from the airport to the city hall. And I believe it is about 20 minutes.

Mr. GRIFFIN. So you went directly to the city hall?

Mr. PAPPAS. Yes.

Mr. GRIFFIN. Were there other people with you?

Mr. PAPPAS. Yes.

Mr. GRIFFIN. Who was with you at that time?

Mr. PAPPAS. There were several other reporters and photographers from New York.

Mr. GRIFFIN. Do you remember their names?

Mr. PAPPAS. Only one that I can remember. His name was Bill Saro.

Mr. GRIFFIN. Who is he with?

Mr. PAPPAS. He left United Press—he is with the Herald Tribune, I believe.

Mr. GRIFFIN. But he was with United Press at that time?

Mr. PAPPAS. I believe he was with the Herald Tribune at the time.

Mr. GRIFFIN. I see.

You used the word Saro, and it sounds a little like Carroll. I notice in one of the interviews the FBI had with you they reported that one of the people you were with was a man by the name of Carroll, Mickey Carroll of the New York Herald Tribune. Is this the same person?

Mr. PAPPAS. No; Carroll was later on. We worked together.

Mr. GRIFFIN. I see.

Now, when you arrived at the city hall, where did you first go?

Mr. PAPPAS. We went to the third floor.

Mr. GRIFFIN. Did you check in with any of the officials there?

Mr. PAPPAS. Well, we were stopped at the elevator by a police captain, I think, or a lieutenant—some officer—he checked our credentials.

Mr. GRIFFIN. When you arrived, was there any procedure set up for identifying and screening newsmen that you were aware of?

Mr. PAPPAS. Well, only the procedure I described—that there was a man posted at the elevator who asked for my identification.

Mr. GRIFFIN. You were not asked to check in with any central office?

Mr. PAPPAS. No.

Mr. GRIFFIN. At any time while you were there were you given any instructions by the police department as to where you were to be, where you were allowed to be, and what procedures, if any, were to be followed?

Mr. PAPPAS. Well, we were instructed that we were not to be in the office, the homicide office, where the questioning was going on. We were in the corridor, on the third floor. We were not told—I don't think that any limitations were drawn, or any boundaries beyond which we could not go were laid out for us, except that we were not allowed into the homicide office. And they had a guard outside to make sure of that.

Mr. GRIFFIN. Were you aware of anyone in the police department who was performing liaison responsibilities with the press, or who had some special designation as a person that members of the press should contact?

Mr. PAPPAS. No, no; later.

Mr. GRIFFIN. Later meaning—

Mr. PAPPAS. I am talking about the trial. They had a public relations man. The thought flashed across my mind. But that was during the second time I was in Dallas.

Mr. GRIFFIN. Do you recall your activities at the police department between the time you arrived and about midnight when District Attorney Wade held a press conference down in the assembly room?

Mr. PAPPAS. Well, I performed the job I was sent there to do—mainly to gather information and to report back to New York on it. I stayed on the third floor hoping to get interviews with people who might have seen the assassination, and I was required by my office to report back immediately, which I did. I went across the street to the White Plaza Hotel, made a phone call.

Mr. GRIFFIN. About what time would that have been? How soon after you arrived?

Mr. PAPPAS. I would say 45 minutes, and that is only an approximation, because I have not thought about it.

Mr. GRIFFIN. Did you have access to the phones in the police department for communication with New York?

Mr. PAPPAS. Yes; but not immediately.

Mr. GRIFFIN. When did that come about?

Mr. PAPPAS. After midnight for me, sometime after midnight, well into the morning, when things had settled down.

Mr. GRIFFIN. Do you remember—let me ask you this. You did have occasion to meet Jack Ruby while you were in Dallas?

Mr. PAPPAS. Yes.

Mr. GRIFFIN. Now, do you recall seeing Jack Ruby at any time before the press conference that Henry Wade held on Friday night?

Mr. PAPPAS. No; I did not meet him before.

Mr. GRIFFIN. Do you remember a reporter from one of the Washington newspapers by the name of O'Leary?

Mr. PAPPAS. No; not by name. Perhaps by sight.

Mr. GRIFFIN. I ask you this because in talking with O'Leary, O'Leary had the recollection that he met Ruby with you on the third floor of the Dallas Police Department sometime before the press conference, and he thought it was in the vicinity of the public elevators. Do you recall anything like that?

Mr. PAPPAS. I don't recall that; no. If this incident happened, if O'Leary is right about the person that he was with, I don't remember it. Perhaps somebody—I don't even know who it was that I was with that night. There was a lot of confusion. If this person was Jack Ruby, he didn't do anything that would make that occurrence stick in my mind.

Mr. GRIFFIN. I might be able to identify O'Leary, a little better for you, by indicating that he explained to us that on Sunday you and he had worked out a procedure whereby you figured out whether you could, by running, beat the elevator from the third floor down to the basement. As I recall his explanation, he said that you rode on the elevator and he ran down the stairs, and you two found that he could run down the stairs before the elevator could get down there. Do you remember that episode?

Mr. PAPPAS. No; I don't. I think O'Leary has me mistaken for someone else. I don't recall that at all.

This was Sunday, of course, the day of the killing of Oswald?

Mr. GRIFFIN. Yes.

Mr. PAPPAS. No; I don't recall that incident.

Mr. GRIFFIN. Were you on the third floor when Henry Wade came out of the homicide office just before the conference was held in the assembly room?

Mr. PAPPAS. Friday night, you mean?

Mr. GRIFFIN. Yes.

Mr. PAPPAS. Yes.

Mr. GRIFFIN. Can you tell us how close you were to the homicide door, and what happened that you recall?

Mr. PAPPAS. As I recall it, I was at the head of the corridor.

Mr. GRIFFIN. Now, where is the head?

Mr. PAPPAS. Well—

Mr. GRIFFIN. Near the public elevators?

Mr. PAPPAS. Well, it is near the public elevators; yes.

Mr. GRIFFIN. Or were you closer to the homicide room?

Mr. PAPPAS. It is in an "L" form. As you come out of the elevators, you have to turn left to go down the corridor. Well, from the elbow, let's say, of the "L" to the homicide office, I couldn't judge—perhaps 30 or 40 feet, roughly. I don't know. But I was—if we are using that standard that I just described, I was approximately 30 feet from Mr. Wade, who was coming out of the office.

Mr. GRIFFIN. And what did you do when Wade came out?

Mr. PAPPAS. I listened.

Mr. GRIFFIN. And then what happened?

Mr. PAPPAS. Then everybody crowded around him and they said, "What do you have to say, Henry? What about this? What about that?" And he started to

talk, and a lot of people protested, they said they could not hear him, the Nation was listening, they wanted to know who this fellow Oswald was. He finally agreed, I believe—he said, "Okay, let's all go downstairs."

I didn't know where downstairs was, but I said to myself if that is where they are all going, that is where I am going. And I asked someone beside me, and said, "Where are we going?" and he said, "They are going to hold a press conference downstairs." I said, "Great." And I followed Chief Curry and District Attorney Wade downstairs, where we all jammed into the lineup room, I suppose.

Mr. GRIFFIN. Where did you station yourself in the assembly room in relationship to Henry Wade?

Mr. PAPPAS. Well, we were all in there first, before Wade came in. He stayed outside for awhile. I set my microphone up, or tried to get in position with the other microphones which were on the table. And we all expected Wade to come over there to deliver his statement, and also to answer questions. Actually, Wade placed himself in position to me, which was right next to me.

Mr. GRIFFIN. Did you see Jack Ruby while you were in the assembly room?

Mr. PAPPAS. No.

Mr. GRIFFIN. Do you recall any conversation or any remarks that Jack Ruby made to Henry Wade while in the assembly room?

Mr. PAPPAS. No.

Mr. GRIFFIN. Now, after—how long is it you estimate that the press conference lasted in the assembly room?

Mr. PAPPAS. I don't think I could estimate that. I don't know. I really didn't pay any attention to the length of the press conference. I don't want to mislead you. I don't know.

Mr. GRIFFIN. Do you remember what you did after the press conference ended?

Mr. PAPPAS. Well, afterward is a long time. You mean immediately afterward?

Mr. GRIFFIN. Immediately afterward.

Mr. PAPPAS. Let's see. Yes—I wanted to talk to Henry Wade, wanted to get a personal interview with him. And he did give us one or two statements, and then he wandered out, everybody else was wandering out. And I decided that I would try to get Henry Wade on the telephone directly to my office in New York. I went outside. I saw some other reporters—I didn't know who they were, but they knew the ropes, I suppose, of the police station, and they were using the phones out there.

Mr. GRIFFIN. Where, specifically, was this?

Mr. PAPPAS. At the reception area, outside of the lineup room. There is a long reception desk, with other desks behind the long reception desk.

Mr. GRIFFIN. Are you familiar with what is called the records room of the police department?

Mr. PAPPAS. Well, I suppose—was that the records room—I don't know.

Mr. GRIFFIN. That is what I am getting to. If you knew what the records room was, that would be my next question.

Mr. PAPPAS. Specifically I didn't know whether they called it the records room. It looked like a registration area to me. They did have a lot of desks, files, people doing clerical work.

Mr. GRIFFIN. You know which room is the jail office, don't you?

Mr. PAPPAS. Yes.

Mr. GRIFFIN. Is the room that you are talking about now, was that the jail office?

Mr. PAPPAS. No; this was the area immediately outside of the lineup room. The jail office is a much smaller area, and it is enclosed. And this was a wider, broader room.

Mr. GRIFFIN. And the telephones were located in that particular room that you are talking about?

Mr. PAPPAS. Yes; they were on a counter-like affair.

Mr. GRIFFIN. Did you have to go into the room to use the telephones, or could you stand in the hallway next to the counter?

Mr. PAPPAS. Well, as I recall it, when you stepped out of the lineup room, you were in the other room. And the phones were right there on the counter.

In other words, the thing that marked off the room, or the beginning of the room, apparently, was the counter. And on the counter were the telephones.

Mr. GRIFFIN. All right. Tell us what you did then, at that point. You picked up a telephone, or what happened?

Mr. PAPPAS. Henry Wade was on the phone to other radio stations, I imagine, or to other newsrooms, because he was being asked a question, and he was answering into a telephone. This is a technique that we use. I felt that it would be more expeditious for me to do it that way. And I picked up a phone, after Henry Wade had gotten toward the end of his interview—I picked up a phone and dialed New York, and I asked him, "Could you do this interview with me?" and he said, "Yes, but I have another phone call over there." And he pointed across the room. Somebody had said, "Come over here." I don't know whether he recognized him or what. But he left my telephone, and I don't know whether I hung up, or whether I had them wait in New York for me to get him back. But at any rate, this disturbed me, because it was long distance, and I had promised them this interview, and I wasn't coming through with it immediately, and this is always frustrating.

It was at this point that I ran into Ruby—the first time that I recall. He came up to me as I was waiting for Wade and he said, "Where are you from?" I said, "New York." He said, "Are you a reporter?" I said, "Yes." He said, "How long are you going to be in town?" And I said, "I will be here as long as it takes to do this story." And he reached into his pocket, and he pulled out a card. It said the Carousel Club on it. And I was amazed. I didn't know who he was or what he was. My immediate impression of him was that he was a detective. He was well dressed, nattily dressed, I imagine.

Mr. GRIFFIN. Do you recall his clothing?

Mr. PAPPAS. It was a dark suit. Whether it was gray or not, I don't know. But he had on a gray hat, fedora. And I looked at the card. I couldn't imagine what was happening.

It said, "Jack Ruby, your host," on it. I said, "Are you Jack Ruby?" He said, "Yes; come on over to the club if you get a chance—you can have some drinks"—or something like that—"there are girls there." And then he disappeared. Naturally I had other things on my mind at the time. I must have put the card in my pocket. And—

Mr. GRIFFIN. Let me interrupt you. Can you describe his mood? Was it straightforward, was it somber, businesslike, was it exhilarated?

Mr. PAPPAS. Well, I would not call it exhilarated. I would say that he was in a very animated mood. He moved quickly, and he spoke quickly. Of course, I cannot tell you what his mood is, because I don't know the man. Maybe this is the way he is naturally. Maybe when he is in a mood he is somber. I don't know. But to me he appeared very worked up by the happenings, by the activity, by the people, by the reporters, by the cameras, by the flashguns, and everything else. He seemed, as I said before, very animated.

Mr. GRIFFIN. Do you still have the card that he gave you?

Mr. PAPPAS. Yes; I don't have it personally. I have it—someone has it. It is a magazine editor who is keeping it. He wanted to see it.

Mr. GRIFFIN. What happened after Jack left you?

Mr. PAPPAS. Well, I still had to get Henry Wade. He was on the telephone, on this long interview. I was trying to get him over.

Mr. GRIFFIN. Were you calling to Wade, or making any indication?

Mr. PAPPAS. He knew I wanted him on the phone.

Then it was awhile, and he had some other people to talk to. Then I think he had another phone call. Anyway, he was occupied, and Ruby came back. He darted past me again. I was still in this frustrated—this look on my face. He said, "What's the matter?" I said, "I am trying to get Henry Wade over to the telephone." He said, "Do you want me to get him?" I said, "Well, if you can, certainly, I can use any help I can get. I don't know the area." At least these are the thoughts going through my mind. I don't know whether I said that to him or not. But I said, "Yes, I would like to have him over here." And he went around the desk, over to Henry Wade on the telephone. I don't know what they said to each other, but Ruby pointed over to me, and Henry looked up, and then Ruby came back and he just left. I don't know whether

he said it will be okay, or what, but he just darted out again, out of the enclosure. And in a short while, Henry Wade finished up his telephone conversation and came over to my phone.

Mr. GRIFFIN. Ruby didn't actually accompany Wade over, then?

Mr. PAPPAS. No; I don't think he waited.

Mr. GRIFFIN. Is it that you don't have any recollection of it, or do you feel certain—

Mr. PAPPAS. I am sure Henry Wade came over by himself, because Henry was on the phone for several minutes after Ruby spoke to him. I imagine he was wrapping up his conversation before coming over to me.

Mr. GRIFFIN. And then what happened when Wade came over?

Mr. PAPPAS. I did the interview with him to New York.

Mr. GRIFFIN. Do you still have a copy of that interview?

Mr. PAPPAS. I don't think so, because this was not done on my tape recorder, as I said. I think we have a copy of a portion of it, because when it did get up to New York—I don't know really whether it was used on the air or not. I imagine it was. And when we do use them, we edit them down. So I believe we have all of our tapes from last year. And if it was used, we have it.

Mr. GRIFFIN. What is the telephone number that you called in New York?

Mr. PAPPAS. MO 1-3621.

Mr. GRIFFIN. Was that a collect call?

Mr. PAPPAS. It was—I could not tell you, I am not sure. I think it had to be, because I could not call directly from the phone. I would say I assume it was collect. I cannot recall whether I called collect or not.

Mr. GRIFFIN. Do you have a credit card?

Mr. PAPPAS. No; we reverse the charges usually.

Mr. GRIFFIN. What did you do after you finished the interview with Wade?

Mr. PAPPAS. Well, then he disappeared and I went out back into the lineup room where the Justice of the Peace Johnston, was holding an interview with other reporters, and he was reading the initial charge, I believe, against Oswald, to us. And I did an interview with him.

Mr. GRIFFIN. Did you see Ruby there at that time?

Mr. PAPPAS. No.

Mr. GRIFFIN. And then what did you do after that?

Mr. PAPPAS. Well, after that I went—I got through with Johnston, and then I went over to a radio station.

Mr. GRIFFIN. Was that KLIF?

Mr. PAPPAS. KLIF, yes. I forget what time this was.

Mr. GRIFFIN. What did you do—how did you get into KLIF?

Mr. PAPPAS. I rang the bell downstairs, I believe, knocked on the door. Somebody came down.

Mr. GRIFFIN. And then what did you do when you got in there?

Mr. PAPPAS. Well, I had to prepare a lot of material for the morning. I had a lot of tape to feed to New York. And I worked.

Mr. GRIFFIN. Now, did you see Jack Ruby while you were at KLIF?

Mr. PAPPAS. No.

Mr. GRIFFIN. Do you remember having anything to eat at KLIF?

Mr. PAPPAS. Oh, yes.

Mr. GRIFFIN. Who did you get that from?

Mr. PAPPAS. From one of the diskjockeys there.

Mr. GRIFFIN. And what did you have?

Mr. PAPPAS. I had sandwiches.

Mr. GRIFFIN. Corned beef sandwiches?

Mr. PAPPAS. I don't know. I am not sure. I don't know what type they were. Might have been corned beef.

Mr. GRIFFIN. Some of the people we have talked to at KLIF recall that you were present when Ruby was there. Do you have any recollection of that?

Mr. PAPPAS. No; this is absolutely incorrect.

Now, the sandwiches were there when I arrived. I had not eaten. And I was very happy to have a sandwich. It was quite good, also. And I had a bottle of pop, and I said this is terrific, where did you get all this? And the person I spoke to said, "Oh, some guy brought them up." And I said, "Great."

Mr. GRIFFIN. To your knowledge at the time you were there, would you have been able to have seen Ruby in the place if he were there?

Mr. PAPPAS. Well, I am sure if he was—if he was in the same area I was, certainly. I don't know whether he was or not.

Mr. GRIFFIN. It would depend on how many rooms the radio station has. Were you in the newsroom?

Mr. PAPPAS. I don't believe they have a newsroom as such. They have an area off of a control room which has some teletypes in it. I guess if that is their newsroom—yes; I was in the newsroom.

Mr. GRIFFIN. How about in any of the broadcast studios? Were you in any of those?

Mr. PAPPAS. No; you see, the area that I was describing serves, from what I could tell, as a newsroom, as a broadcasting area, and as a control area, also, control room, because the person on the air was speaking into a microphone, broadcasting and doing his own control work while the teletypes were going, I believe, right in the same room, with all of us. I was having a sandwich while he was broadcasting, and I was doing my own work, as I recall. Wait a minute now. No; there is another studio next to it—that is right. At any rate, there is a control area and a studio, and I think the one that I was in that Friday night served as a broadcast studio, also. But there is another studio right next door to it, and you can see into it. There is a big glass panel there and everything else.

Mr. GRIFFIN. Do you have any way of fixing the time that you were at KLIF?

Mr. PAPPAS. No; it was early in the morning. I am not quite sure when. Maybe 2:30. I don't know. It was well into the morning.

Mr. GRIFFIN. Could it have been as late as 3 o'clock in the morning?

Mr. PAPPAS. Oh, yes.

Mr. GRIFFIN. Could it have been any earlier than 2 o'clock in the morning?

Mr. PAPPAS. It is difficult for me to say.

Mr. GRIFFIN. Do you remember the names of any of the people whom you met there?

Mr. PAPPAS. I don't recall the names offhand. I have a mental image of one person, but I cannot recall his name immediately.

Mr. GRIFFIN. Did you meet a fellow by the name of Russ Knight, called The Weird Beard?

Mr. PAPPAS. Yes.

Mr. GRIFFIN. Was he at the studio when you were there that night?

Mr. PAPPAS. Yes.

Mr. GRIFFIN. Were there any other people at the studio?

Mr. PAPPAS. Yes; there was one other person. He is the person I have a mental picture of, but I cannot think of his name right now.

Mr. GRIFFIN. Do you remember the name Glenn Duncan?

Mr. PAPPAS. Yes.

Mr. GRIFFIN. Was that the man?

Mr. PAPPAS. Yes.

Mr. GRIFFIN. Now, Saturday, what time did you arrive at the police department?

Mr. PAPPAS. I am afraid that Saturday—I went directly from the station to the police station. I didn't get any sleep at all.

Mr. GRIFFIN. How long did you remain there on Saturday?

Mr. PAPPAS. On, I remained there until Saturday night at approximately 8:45 or so, 9 o'clock.

Mr. GRIFFIN. Are you able to fix at all where you would have been between 3, Saturday afternoon, and 6 o'clock Saturday evening—that is to say, can you tell us if you were up on the third floor during that period?

Mr. PAPPAS. Well, I was there most of the day. I am sure I had occasion to be there from 3 to 6.

Mr. GRIFFIN. Well, did you station yourself permanently up on the third floor, or were you throughout the building the day that you were there, on Saturday?

Mr. PAPPAS. Well, we were throughout the building; yes. I was, I would say, all over the building.

Mr. GRIFFIN. Did you see Jack Ruby at all at the police department on Saturday?

Mr. PAPPAS. No.

Mr. GRIFFIN. Can you tell us what security precautions you observed being taken when you were at the police department on Saturday, first of all with respect to the admission of newspaper people onto the third floor?

Mr. PAPPAS. They were following the same procedure, posting a man, two men, sometimes three men, at the elevator doors, and checking, I suppose the credentials of the people who came in.

Mr. GRIFFIN. Were your credentials checked on Saturday?

Mr. PAPPAS. Yes. I wear my police badge in a situation like that, or the New York City press card, which is issued by the police department, so that it was visible all the time. They had checked it. So I suppose they didn't want to check it again, I am not sure.

Mr. GRIFFIN. Was Lee Oswald moved at any time through the third floor hallway when you were there?

Mr. PAPPAS. Yes.

Mr. GRIFFIN. What kind of protection was provided for Oswald that you recall in moving him?

Mr. PAPPAS. He was given a police escort. Whenever they were going to move him, they would have all of the reporters clear away through the corridor. We were all jammed in, and they cleared a path through the mass of bodies. And then Oswald would be taken out by detectives and uniformed police.

Mr. GRIFFIN. How close could you get to Oswald as he was being moved?

Mr. PAPPAS. Right next to him.

Mr. GRIFFIN. About what time did you leave the police department on Saturday?

Mr. PAPPAS. Oh, roughly 9, 9:15 p.m.

Mr. GRIFFIN. By the time you left, had you heard anything about the movement of Lee Oswald the next day?

Mr. PAPPAS. Yes.

Mr. GRIFFIN. What had you heard?

Mr. PAPPAS. We had heard just before we were sent home, that he was—that he was not going to be moved that night. We heard that from Chief Curry. He said, and I remember his quote—he said, "We plan to move this man not tonight."

Mr. GRIFFIN. Did he say anything about what time he would be moved the next day that you recall?

Mr. PAPPAS. Well, it was sort of a question and answer thing. The questioning went like this. After he said—we were all wondering whether we were going to have to spend the entire night at the station. And—you know, waiting for Oswald's departure. And we were quite relieved when Mr. Curry came out and he said that they did not plan to move him that night—at least I did—I wanted to get some sleep. I hadn't slept in a couple of days. And the reporters started to question him. And the questioning went like this:

"When will you move him?"

"Well, if you boys would be here by 10 o'clock tomorrow morning, that will be early enough."

And someone yelled, "Do you plan to move him at 10 o'clock?"

And the answer was something to this effect—"Well, if you boys get here by 10 o'clock"—or "It won't be any later than 10 o'clock."

And we all got the pretty good impression that is when they were going to move him.

He didn't come out and say, "We will move him tomorrow at 10 o'clock."

But we all got the distinct impression that is when it was going to be.

Mr. GRIFFIN. What time did you arrive back at the police department on Sunday morning?

Mr. PAPPAS. At 9:15, 9:20.

Mr. GRIFFIN. And where did you go at that point?

Mr. PAPPAS. Went to Chief Curry's office. Third floor.

Mr. GRIFFIN. Did you actually go inside the office?

Mr. PAPPAS. Yes—into the chief's complex of offices.

Mr. GRIFFIN. And what happened when you got in there?

Mr. PAPPAS. Well, when I got there he was talking to some reporters, having another press conference, about Oswald's activities overnight, what he had for breakfast, and things like that.

Mr. GRIFFIN. At any time before Oswald was actually brought down in the basement, did you receive any indication, either by what you observed or by what someone told you, or by what you overheard, with respect to the manner in which he was going to be moved, or the route by which he was to be moved, or the time or circumstances under which he would be moved?

Mr. PAPPAS. Well, we were told that he was going to be moved in an armored car, or an armored truck. And someone at the window said, "There is an armored truck downstairs." And there was one. I just got a glimpse of it. I don't know whether he was trying to back into the garage at the time or not. I can't recall.

And we asked him why the armored truck. And he said, "Well, our police cars are not bullet proof."

Mr. GRIFFIN. Curry said that?

Mr. PAPPAS. Yes.

Mr. GRIFFIN. Before the armored truck arrived, did you have any indication that the armored truck might be on its way to the police station?

Mr. PAPPAS. No; I didn't see the armored truck arrive. Somebody just said there is an armored truck.

Mr. GRIFFIN. I mean before you saw the armored truck the first time—did you have any idea that the armored truck was going to be used at all before you saw it down there?

Mr. PAPPAS. Well, we were told by Curry.

Mr. GRIFFIN. And how long before you actually saw the truck?

Mr. PAPPAS. Almost immediately before.

Mr. GRIFFIN. What did you do then, when you saw the armored truck?

Mr. PAPPAS. Well, I went back to talking to Curry. He was waiting around up there. People were asking him questions. He was passing the time of day, and we were getting information.

Mr. GRIFFIN. And how much later is it you estimate that Oswald was finally moved out of the homicide office?

Mr. PAPPAS. Let's see. Later than what?

Mr. GRIFFIN. Well, than this particular episode you have just been describing, talking with Curry, and having seen the armored car.

Mr. PAPPAS. Well, Curry left. A lot of other reporters left. It was about 11 o'clock.

Mr. GRIFFIN. I am probably not making myself clear. How much time elapsed between the time that you finished talking with Curry, after having seen the armored car, and the time that Oswald was actually moved?

Mr. PAPPAS. Oh, I would say 20 minutes, 25 minutes. To the best of my recollection.

Mr. GRIFFIN. Were you on the third floor when Oswald was taken out of the homicide office?

Mr. PAPPAS. Yes.

Mr. GRIFFIN. And what did you do when he was brought out of the office?

Mr. PAPPAS. Well, I saw Captain Fritz coming out first, and Oswald was behind him. I walked up to Fritz and I asked him a question.

Mr. GRIFFIN. Did you have your tape recorder with you?

Mr. PAPPAS. Yes.

Mr. GRIFFIN. Do you have any tapes of what took place up there in the hallway at that time?

Mr. PAPPAS. Yes.

Mr. GRIFFIN. Would they be available for us to listen to?

Mr. PAPPAS. You have them.

Mr. GRIFFIN. We have that particular tape?

Mr. PAPPAS. Oh, yes.

Mr. GRIFFIN. This is one of the tapes you had given to the FBI?

Mr. PAPPAS. Yes.

Mr. GRIFFIN. I might ask you right now then if you recall what—generally what were the contents of these various tapes which you gave the FBI?

Mr. PAPPAS. I gave them only one tape—the tape in the hallway, and the actual shooting of Oswald by Ruby. It was all on one reel.

Mr. GRIFFIN. After Oswald got past you up there on the third floor, what did you do?

Mr. PAPPAS. I went down to the basement.

Mr. GRIFFIN. Ran down the stairs?

Mr. PAPPAS. Yes.

Mr. GRIFFIN. And about how long before Oswald emerged from the jail office was it that you arrived down there in the basement?

Mr. PAPPAS. Roughly a minute.

Mr. GRIFFIN. And what did you see happen as Oswald came out?

Mr. PAPPAS. Oswald came out. There were two detectives on either side of him. Captain Fritz was leading the way. There were other detectives behind him. Detectives behind, both walls from the exit to the jail, the basement walls. Oswald came right past me, and I did as many of us did throughout those 2 days, I shouted a question at him. And then I noticed a black blur, and I noticed a bang—I heard a bang, rather, I recall a flash, and then pandemonium.

Mr. GRIFFIN. Did you hear Jack Ruby say anything as he moved toward Oswald?

Mr. PAPPAS. No.

Mr. GRIFFIN. Did you think if he had said something, that you would have heard it?

Mr. PAPPAS. It depends on how loudly he said it. If he whispered it, certainly I could not hear it.

Mr. GRIFFIN. But if he had spoken in a normal voice?

Mr. PAPPAS. If he had spoken in a normal voice—that would be difficult for me to tell. I could not say if he spoke in a normal voice. If he shouted something at him, I would say that I could have heard it.

Mr. GRIFFIN. Well, were you able to hear Oswald's groan or response as he was hit?

Mr. PAPPAS. Yes.

Mr. GRIFFIN. How did the volume of that response compare to somebody speaking in a normal voice? Was it an extremely loud sound that he made, or don't you have any recollection?

Mr. PAPPAS. Well, an extremely loud sound—it is hard for me to estimate what is loud and what is not. It is very vague.

Mr. GRIFFIN. Well, describe it in your own words.

Mr. PAPPAS. It was like an expulsion of air, a gasp. It was audible from where I was. I heard him. If I said it was loud, I don't know whether it would mean anything to you.

Mr. GRIFFIN. You can make a statement like that and then maybe you can—

Mr. PAPPAS. It didn't throw my head back or anything like that. I have been blasted by loud sounds. But this was an audible sound.

Mr. GRIFFIN. Were other people speaking and shouting at the time?

Mr. PAPPAS. At the time of what?

Mr. GRIFFIN. At the time this gasp came out?

Mr. PAPPAS. No. There were people—I imagine there was a slight din. But I noticed distinctly that the shot went off, and there was a cold moment of silence, and then the gasp. It was a very quick split-second thing. But there were these two moans that I heard.

Mr. GRIFFIN. Of course, I have not listened to the tape yet, and that might answer many of the questions.

Mr. PAPPAS. I think that would help a lot.

Mr. GRIFFIN. But in order—of course, the tape is a result of a microphone, which may or may not pick up everything that the human ear picks up. Maybe we can work into this by my asking you, was this a directional mike or to what extent did the microphone itself that you were using limit the ability of the recording apparatus to pick up the kinds of sounds that the human ear would have heard?

Mr. PAPPAS. It didn't limit it at all—from my knowledge of the instrument. It is nondirectional microphone. Its staff travels in a slightly elliptical fashion. But it encompasses a greater area.

Mr. GRIFFIN. I have here a number of pictures which I think you provided to the FBI.

Mr. PAPPAS. Yes.

Mr. GRIFFIN. What I would like to do is to have you look at them. But I want to mark them first. And I would like to get some idea of what distances are really involved in these pictures. I am going to mark a single large photograph which shows a picture of Jack Ruby approaching Lee Oswald, and Oswald in this picture is not looking at Ruby—I am going to mark this Icarus M. Pappas Deposition, July 29, 1964, Exhibit No. 1.

(The document referred to was marked Icarus M. Pappas Deposition Exhibit No. 1 for identification.)

Mr. GRIFFIN. I want to ask you to look at it with me. Now, you are in this photograph, and I take it you are the person who someone has circled in ink.

Mr. PAPPAS. Yes.

Mr. GRIFFIN. About how far are you actually standing from Jack Ruby as you recall in that picture?

Mr. PAPPAS. From Ruby, I don't know, because he was just a blur over to my left. I was approximately 5 feet—5 or 6 feet from Oswald.

Mr. GRIFFIN. I see. I am going to mark the next picture in the same manner—Icarus M. Pappas Deposition, July 29, 1964, Exhibit No. 2.

(The document referred to was marked Icarus M. Pappas Deposition Exhibit No. 2 for identification.)

Mr. GRIFFIN. This is a series of six photographs on one photographic sheet. It is a sequence of shots showing Lee Oswald approaching, and in each of the first four pictures, starting at the top, you appear, and your head is circled. In the first picture in the middle row, you can see you holding out a microphone. Do you have any recollection, or are you able to give us any identification at that point where the microphone is being held out in this first picture in the second row how far that microphone really was from Lee Oswald?

Mr. PAPPAS. Well, it was at this point that I was asking my question, and it was—maybe 4 feet, or 5 feet.

Mr. GRIFFIN. Now, the next picture, and that is the second picture in the second row, shows a figure which is Jack Ruby approaching toward Oswald, and the microphone appears to be between Ruby and Oswald.

Mr. PAPPAS. Yes.

Mr. GRIFFIN. Do you have any idea in that picture how far the microphone would be from Jack Ruby's face?

Mr. PAPPAS. From Jack Ruby's face?

Mr. GRIFFIN. Yes.

Mr. PAPPAS. No; I do not. I did not see Jack Ruby at that point. I could not estimate it, because I don't know.

Mr. GRIFFIN. Well, how far was the path that Jack Ruby traveled as he would have got directly in front of you—how far would he have been from you at that point? Do you have some recollection of his path?

Mr. PAPPAS. It was just a quick streak. I don't want to mislead you.

Mr. GRIFFIN. I don't want you to. I don't want to lead you into saying something which you cannot be accurate about.

Mr. PAPPAS. No. I was concentrating on Oswald. He was the person that we had to speak to. And—you notice I am watching Oswald throughout. Here is Ruby, apparently going right for him. And I suppose when he got up around forward of me, I saw this flash. And I really cannot judge.

Mr. GRIFFIN. Do you have any recollection of having to pull the microphone back as this flash went past you?

Mr. PAPPAS. No. I realized at a certain point that Oswald was not going to answer my question, and I still held it out. It was still out here. And—it was still projected forward at that point, still hoping that he might turn around and say something.

Mr. GRIFFIN. Again let me ask you—what is your best estimate of how far Oswald was from you, as you look at the second picture in the second row?

Mr. PAPPAS. The best estimate is 6 feet.

Mr. GRIFFIN. Is there any way that you can describe at a distance of, say, 4 to 8 feet, the pickup ability of your microphone?

Mr. PAPPAS. Do you mean if the subject is 4 feet from my microphone?

Mr. GRIFFIN. Yes.

Mr. PAPPAS. Then what?

Mr. GRIFFIN. Then in terms of the volume of the sound, what ability does your microphone have to pick up sound at that point?

Mr. PAPPAS. It depends on the volume of the sound.

Mr. GRIFFIN. Can it pick up conversation in a normal tone of voice at 4 feet?

Mr. PAPPAS. Oh, yes.

Mr. GRIFFIN. How about at 8 feet?

Mr. PAPPAS. At 8 feet it would. It would pick up normal conversation. Naturally the volume of it would be less, but it would be audible.

Mr. GRIFFIN. Is there any way you can think of that we can describe the ability of this microphone at these two distances, 4 and 8 feet, to pick up sounds which are of less volume than a normal speaking voice?

Mr. PAPPAS. I am not sure whether I understand your question.

Mr. GRIFFIN. Well, trying to find out—you said that it would not pick up a whisper at one point. Now, somewhere between a whisper and normal speaking voice there are other conversational tones or ranges of loudness that you might be able to describe in your own words and from your own experience, that this microphone might pick up at those distances.

Mr. PAPPAS. I have had no experience with any volume of voice between a whisper and a normal speaking voice. I could not tell you.

Mr. GRIFFIN. I am going to mark a document for the purpose of identification as Icarus M. Pappas Deposition, July 29, 1964, Exhibit No. 3.

(The document referred to was marked Icarus M. Pappas Deposition Exhibit No. 3 for identification.)

Mr. GRIFFIN. Now, this document consists of two pages, numbered consecutively at the bottom 475 and 476. And it is a copy of an interview report prepared by two special agents of the FBI, Lower and Hester, as a result of speaking with you in New York City on July 2, 1964. I would like to ask you to look at this interview report, read it over, and tell us if that accurately reports your conversation with them on that date as best you can recall.

Mr. PAPPAS. I think it does; yes, basically.

Mr. GRIFFIN. All right. Let me ask you, then, if you would sign the interview report on the first page and initial the second page.

Mr. PAPPAS. All right.

Mr. GRIFFIN. Sign it on the first page at a conspicuous spot at the top.

Mr. PAPPAS. This is an affidavit?

Mr. GRIFFIN. No; this is just an interview report.

Mr. PAPPAS. Do I get a copy of this?

Mr. GRIFFIN. You can get a copy of the deposition that is being taken here. And we can then——

Mr. PAPPAS. Can I have this read?

Mr. GRIFFIN. Do you want to——

Mr. PAPPAS. No; it is all right.

All right. Where shall I sign it—right here?

Mr. GRIFFIN. Up at the top; yes, and just initial the next page.

Now, let me hand you also what I have marked as Icarus M. Pappas deposition, July 29, 1964, Exhibit No. 4.

(The document referred to was marked Icarus M. Pappas Deposition Exhibit No. 4 for identification.)

Mr. GRIFFIN. This is another interview report prepared by two agents of the FBI, Eugene W. O'Neill, and James J. Rogers. It reports an interview that they had with you in New York City June 30, 1964, and it also consists of two pages. If you would read that, and also tell us if that accurately reflects what you told them at that time.

Mr. PAPPAS. This does.

Mr. GRIFFIN. Would you sign that, then, on the first page, and initial the second? I might ask you one final question, which is a very general question.

In your experience, reporting this event, the events of November 22, 23, and 24, do you feel that there were any—that any restrictions or precautions could have been taken, either to have provided more orderly distribution of information to the press, or to safeguard Lee Oswald, that in your estimation were not taken?

Mr. PAPPAS. I wonder if you could state that again?

Mr. GRIFFIN. All right. Let me state it as two questions. From the standpoint of a newspaper reporter, do you feel that the local authorities in Dallas could have or should have instituted procedures which would have provided a more orderly flow of news to the press, or more restricted flow than was permitted?

Mr. PAPPAS. It is hard to say for me. I think that we got the news from the police department. That is what I am concerned with. And how I get it, whether it is orderly or not, is really none of my concern. I think if that is the way they do it, holding interviews in a hallway, that is the way I have to get it. I think that if they had set up an auditorium somewhere and came in with reports, this would be orderly. But how productive it would have been, I don't know.

Mr. GRIFFIN. Well, do you have—

Mr. PAPPAS. I think ideally, as a reporter, as a newsman, I think ideally if there is an incident, a crash, or a homicide, or something, it would make our job a lot easier if we could have all of the witnesses and all of the interviews that we have to get brought in and placed in front of us in a large auditorium. This would be nice and orderly for us. But, unfortunately, that is not the way our business works.

Mr. GRIFFIN. Well, do you think it would have been proper for the police to have refused access—refused you people access to the third floor?

Mr. PAPPAS. As far as a newsman is concerned; no.

Mr. GRIFFIN. Let me ask you the second question, on the protection of Lee Oswald. Did you observe any inadequacies in the manner in which Oswald was protected that you would be able to bring to our attention?

Mr. PAPPAS. I am not a police officer. I don't know what is adequate and what is not. I could not tell you. I am not a law officer.

Mr. GRIFFIN. That is all right. I appreciate that. Do you have any other observations that you would want to make about your experiences in Dallas on those 3 days?

Mr. PAPPAS. Just that it was one of the saddest assignments that I have had to cover ever, and that it was professionally a challenge. That is all I could say generally about it.

Mr. GRIFFIN. You haven't any information that you think would be of significance for us?

Mr. PAPPAS. Nothing; no. I have just told the story so many times. I have just made every statement that I think could be made by me. That is what I know at this point. Unless you can think of something else specifically that you are puzzled about.

Mr. GRIFFIN. No; I haven't anything in mind. I think we have covered it pretty well as far as we are concerned. One final question, then. You and I have not had any off-the-record conversations, or prior conversations before we began taking your deposition, have we?

Mr. PAPPAS. Only when you wanted to finish your coffee.

Mr. GRIFFIN. When I saw you out in the hallway and asked you to wait a few minutes?

Mr. PAPPAS. Yes.

Mr. GRIFFIN. But we did not discuss anything pertaining to your testimony at that point?

Mr. PAPPAS. Nothing; no.

Mr. GRIFFIN. I haven't any further questions. I want to thank you very much for coming here. You have been very helpful to us. The tape recording and the photographs which you have provided in the past have been of considerable use to us.

Mr. PAPPAS. Thank you for having me here, and I hope I have been of some help in getting to the bottom of all of this.

TESTIMONY OF JOHN G. McCULLOUGH

The testimony of John G. McCullough was taken at 11 a.m., on July 29, 1964, at 200 Maryland Avenue NE., Washington, D.C., by Messrs. Burt W. Griffin, assistant counsel, and Stuart Pollak, staff member, of the President's Commission.

Mr. GRIFFIN. Let me introduce myself. My name is Burt Griffin. I am a member of the advisory staff to the general counsel of the President's Commission on the Assassination of President Kennedy.

It is our normal practice before deposing a witness to explain a little bit about what the Commission is about. I think you will find most of what I have to say you are well aware of.

As you probably know, the Commission was established pursuant to an Executive order of President Johnson and a joint resolution of Congress. Under those two official acts, the Commission was directed to investigate the assassination of President Kennedy and the death of Lee Harvey Oswald, and to report back to President Johnson, to find out all the facts it is able to determine.

We have asked you to come here today in particular because you were in Dallas on the 22d, 23d, and 24th of November, and because you did have occasion to see Jack Ruby on one of those days.

I might also indicate that under the rules and regulations that have been established by the Commission, I have been specifically designated to take your deposition.

Also under these rules, you are entitled to a 3-day notice in writing before you appear here. We did send you a letter, I believe. I don't know when you received it.

Mr. McCULLOUGH. I received the letter 3 days ago.

Mr. GRIFFIN. All right. I might note for the record at this point Mr. Stuart Pollak has just walked in. Do you have any questions that you would like to ask?

Mr. McCULLOUGH. None at all. I think I am familiar with the purpose of the Commission, and the reason for my being here.

Mr. GRIFFIN. If you will raise your right hand, I will administer the oath to you.

Do you solemnly swear that the testimony you shall give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. McCULLOUGH. I do.

Mr. GRIFFIN. Would you state for the record your full name?

Mr. McCULLOUGH. John G. McCullough.

Mr. GRIFFIN. Where do you live?

Mr. McCULLOUGH. 6345 Woodbine Avenue, Philadelphia, Pa.

Mr. GRIFFIN. By whom are you employed?

Mr. McCULLOUGH. The Philadelphia Bulletin.

Mr. GRIFFIN. Were you employed by the Bulletin in November of 1963?

Mr. McCULLOUGH. I was; yes.

Mr. GRIFFIN. In the course of your employment with the Bulletin, did you go to Dallas after President Kennedy was shot?

Mr. McCULLOUGH. I went to Dallas within an hour after President Kennedy was shot, and arrived in Dallas by plane about 7 p.m., Dallas time.

Mr. GRIFFIN. What did you do when you got to Dallas? Where did you go first?

Mr. McCULLOUGH. Do you want me to just continue?

Mr. GRIFFIN. Yes.

Mr. McCULLOUGH. I went immediately to the Dallas Municipal Building, and to the police headquarters. I am uncertain now of exactly what floor this was on. I stayed at the police headquarters floor of the building for 6 or 7 hours, since this was the scene of the operations.

Mr. GRIFFIN. Were you on that floor continuously during that period, or were there times when you were off?

Mr. McCULLOUGH. There were times when I was off the floor, to use the telephone, or to consult with other members of the Bulletin staff who were also on

assignment in Dallas. But most of the time I was on the floor and in a narrow corridor outside the room in which principals in the assassination of the President and the subsequent events were being questioned by Dallas police officials. And I believe by members of the Federal agencies.

I was not alone. There were at least 50 other reporters along this narrow corridor. It was around midnight, to the best of my recollection, when they brought a man who police told us was Lee Harvey Oswald into an interrogation room. Trying to get a look at the physical setup inside this room, I stood briefly on a metal ashtray that was on the corridor. And coming down from this metal ashtray, I hit with my right elbow a man who was standing beside me. I apologized for bumping into the man and expressed the hope that I had not struck his notes, assuming he was another reporter. He explained to me that he was not a reporter, that he was a businessman in Dallas, and I noted then that he was carrying a box. I would guess it was about 8 inches to a foot square. And the reason I remember it is on one side, in white lettering, on a blue background, was the word "Alpacuna." It struck me as odd, that a reporter would be carrying a box. And then, of course, when he explained he was a businessman I took a good look at him, because I think reporters get annoyed—because there were enough of us in the corridor without outsiders being there. I mentioned this to another member of the Bulletin staff later, and then discovered after the shooting of Oswald, the man I had bumped into that night was Ruby.

Mr. GRIFFIN. Let me ask you some questions about this. You mentioned that you were trying to look into an interrogation room.

Mr. McCULLOUGH. Yes.

Mr. GRIFFIN. Did this meeting with the man you think was Ruby, did it occur on the third floor of the police department?

Mr. McCULLOUGH. I am not certain—on whatever floor the police department offices are located. There is a whole string of them. There is a homicide squad, robbery, theft units. I believe it was on the third floor. It was not the upper floors. There were floors above. I am fairly certain it was the third floor.

Mr. GRIFFIN. But it was on the floor that the detective bureaus were on?

Mr. McCULLOUGH. That is correct; yes.

Mr. GRIFFIN. Now, what particular detective bureau or interrogation room were you looking into at the time?

Mr. McCULLOUGH. There, again, I have to go on the basis of recollection, but I believe it was the homicide squad. The officers immediately involved with the investigation had been moving in and out of that particular door for hours, bringing in, for instance, a bus driver, a taxicab driver—at least from the clothing they wore. At one point Oswald's mother, at another point his wife were in and out of this room.

Mr. GRIFFIN. Was it Lee Oswald that you were trying to get a look at?

Mr. McCULLOUGH. Actually, I knew I could not see him. I just was wondering whether it was one large room or a maze of partitioned offices, so I could describe it in the story I had planned to write.

Mr. GRIFFIN. But what I wanted to ask you is was the thing that prompted your getting up on this ashtray the fact that Lee Oswald had been taken into that room?

Mr. McCULLOUGH. That is correct; yes.

Mr. GRIFFIN. Now, do you recall a press conference that Henry Wade held down in the basement some time that evening?

Mr. McCULLOUGH. Yes.

Mr. GRIFFIN. Did this event which you are now describing, in which you climbed up on the ashtray—did that occur before or after the press conference?

Mr. McCULLOUGH. The event that I described, stepping up on the ashtray momentarily, happened several hours prior to the press conference held by District Attorney Wade.

Mr. GRIFFIN. How do you arrive at the conclusion that it was several hours?

Mr. McCULLOUGH. Well, there, again, I have to go on recollection. But there was this much time ensued. In other words, after meeting the man that I be-

lieved to be Ruby, I stayed for a long period—I would estimate 2 hours, before the press conference was held.

Mr. GRIFFIN. Do you recall if Lee Oswald was brought down into that interrogation room again between the time you saw the man you think is Ruby, and the time that Henry Wade held his press conference in the basement?

Mr. McCULLOUGH. He was brought out of the interrogation room. I don't recall that he was brought back into it before the press conference was held.

Mr. GRIFFIN. Now, were you up on the third floor at the time that—just shortly before the press conference was held?

Mr. McCULLOUGH. Yes.

Mr. GRIFFIN. And do you recall, were you there when Henry Wade and, I think, Captain Fritz, and perhaps Chief Curry, walked out of the homicide room, just before everybody went down into the basement? Do you recall that?

Mr. McCULLOUGH. Yes; I do. I believe that I was in an opening, or at the main corridor, at the bay near the elevators, when the three officers you mentioned, the three officials you mentioned, walked along and said there would be a press conference.

Mr. GRIFFIN. Do you recall that at that time, or just before Chief Curry and Fritz and Wade came out, that Lee Oswald had been in the homicide office?

Mr. McCULLOUGH. Yes. In other words, Oswald had been in the homicide office before I again saw those three officials.

Mr. GRIFFIN. What I am getting at is whether you recall that Fritz and Curry came out of that homicide office just after something had taken place in there with Oswald.

Mr. McCULLOUGH. No; this I do not recall—whether there was any immediacy involved there.

Mr. GRIFFIN. Let me ask you this question, then: Are you clear in your mind that the occasion on which you saw Ruby was a substantial period of time before the occasion when Fritz and Curry came out?

Mr. McCULLOUGH. Yes. However, I might add that certainly Fritz, and I believe to a lesser extent Curry were in and out of that room many times. I mean it was not just one movement into the room, and then a long period of time, and a final movement out by those two officers. They were moving in and out at different times during the evening.

Mr. GRIFFIN. Now, maybe we can work at the time that you saw the man you think is Ruby from the other end. That is, focusing on your activities shortly after you arrived at the police station. You say you arrived in Dallas about 7, and you went directly to the police station. So I assume that you got there somewhere around 7:30. Did you check into a hotel first?

Mr. McCULLOUGH. Yes; we checked into a hotel immediately across the street from the police station, municipal building.

Mr. GRIFFIN. When you got up there in the police department, did anything occur between the time you arrived and the time you saw the man that you think was Ruby that is significant in your mind that we might use to pinpoint time here?

Mr. McCULLOUGH. No; except that there was, again, a period of time ensuing between my arrival at the police headquarters and my seeing Ruby, and that would have been occupied on my part by trying to talk to the police officials and trying to get, I believe, to see Wade and interviewing just everyone I could get ahold of who knew anything at all about it.

Mr. GRIFFIN. When you saw the man you believed was Ruby, did he indicate to you what kind of business he was in?

Mr. McCULLOUGH. No; he didn't say what kind of business. This is what made the box stay in my mind. I assumed he was a shirt merchant or something, or that it was a sweater. And there, again, the reason for my remembering him was a bit of annoyance on my part that there was outsiders in that row, when it was terribly crowded.

Mr. GRIFFIN. Did this look like the kind of box one would carry clothes or shirts or sweaters in?

Mr. McCULLOUGH. Only because I in my own mind related the word Alpacuna to some sort of textile trade name. I had never seen the name before.

Mr. GRIFFIN. I don't know what Alpacuna is. Have you subsequently learned?

Mr. McCULLOUGH. No; and the man at the time was wearing, I believe it is called, a porkpie hat, and he had a topcoat. This, I remembered, because most of the reporters were not wearing topcoats, and certainly were not wearing hats.

Mr. GRIFFIN. What kind of a topcoat did he have on?

Mr. McCULLOUGH. It was a dark blue topcoat.

Mr. GRIFFIN. When you rubbed elbows with this man, what was his response in the sense of—was it a polite gentlemanly response?

Mr. McCULLOUGH. It was a smile. And the explanation, as I said, that he was not a newspaperman, and that he was a businessman. In other words, he indicated there was no need to apologize, that I had not struck his notes or made him scribble. And he, as everyone along there, was starting into this door, waiting to see what would happen next.

Mr. GRIFFIN. Did you see him again?

Mr. McCULLOUGH. No; I did not see him at the press conference at which Oswald appeared. However, the fact that he was there and wearing the same clothing was told me later by a police judge who was present at that press conference.

Mr. GRIFFIN. Justice of the Peace David Johnston?

Mr. McCULLOUGH. Yes. I went to his office the following day in another part of—actually in a suburb of Dallas, to follow up the story. And—I am sorry, it was not the following day. It must have been Monday, when it was then clear that the man who shot Oswald was Ruby. And I mentioned to Johnston that I had bumped into this man. And the police judge said, that he, too, had seen him at the press conference, and that Ruby had approached him and handed him a card, a gray card, advertising the club that he operated.

Mr. GRIFFIN. Do you have a clear recollection that Johnston said that Ruby was wearing an overcoat?

Mr. McCULLOUGH. This I don't—I have no clear recollection, but I did mention the clothing, the hat, and Johnston said that this was the same—the hat I did mention.

Mr. GRIFFIN. Yes.

Mr. McCULLOUGH. But I don't remember whether or not I mentioned the topcoat.

Mr. GRIFFIN. Were you able to see what sort of clothes the man you believe was Ruby had on under the topcoat?

Mr. McCULLOUGH. No; I could not see that. However, after the jostling, after I had jostled him, we did stand together, I would guess, for 5 or 10 minutes. There was no further exchange, conversation between us.

Mr. GRIFFIN. Did you see him attempt to talk or talk with other people?

Mr. McCULLOUGH. No; I did not notice; no.

Mr. GRIFFIN. When you went down to the assembly room, where Henry Wade had his press conference, do you recall where you were standing in relationship to Wade and the front of the room?

Mr. McCULLOUGH. Yes; it is a large room with tables and benches. I would have been to the left side of the room facing what was a standup box, a police lineup box, a screen police lineup box, and some distance back, about one quarter of the distance back—in other words, I was not immediately in the front.

Mr. GRIFFIN. When you say the left side of the room—

Mr. McCULLOUGH. Facing this police lineup box, and there was a small stage, a foot perhaps in elevation from the floor level.

Mr. GRIFFIN. Now, as I have already asked you, when you were down there, you did not see this same man again?

Mr. McCULLOUGH. No; I did not see Ruby again.

Mr. GRIFFIN. What did you do after the Henry Wade press conference ended?

Mr. McCULLOUGH. I stayed there for perhaps a half hour talking to other reporters. Of course, Oswald himself was brought into the room.

Mr. GRIFFIN. Yes.

Mr. McCULLOUGH. And someone put a microphone in his face. He said something about his civil rights being violated. He was taken out. We talked to Wade. He gave us some information. When Wade left, we talked to various—there, again, it was just a general attempt to interview everyone and anyone who knew anything at all about the offense. And I would guess that after about

an hour, I went back to the hotel. I am sorry that I am fuzzy on the times, but I have not used my notes to recollect or jog my memory on all these things. I perhaps should have. But I haven't had an opportunity.

Mr. GRIFFIN. Do you have your notes with you now?

Mr. McCULLOUGH. No; I do not. They would be in the office. I used a regular spiral notebook, and kept pretty full notes. However, I did give a statement to the two agents from the FBI of the Philadelphia office, within a few days after my return to Philadelphia. This would have been before the end of November and the times would, of course, have been a great deal clearer.

Mr. GRIFFIN. Did you use your notes in the course of that interview?

Mr. McCULLOUGH. Yes; I did.

Mr. GRIFFIN. Did you remain in the press conference room for a substantial period of time after Henry Wade left, or did you follow out and do something?

Mr. McCULLOUGH. I would say between a half hour and an hour. In other words, when all of the police officials and other municipal officials of Dallas left, there was no one else to talk to, so I left.

Mr. GRIFFIN. How long did you remain at the police department that night, then?

Mr. McCULLOUGH. Well, it would have been from perhaps 8 p.m. Dallas time, Friday night, November 22, until perhaps somewhere between 2 and 3 a.m. of the Saturday following, November 23.

Mr. GRIFFIN. What time is it your best recollection that you returned to the police department during the day on Saturday?

Mr. McCULLOUGH. Probably about 10 a.m., and I say that again without any vivid recollection, but because of the fact that we are an afternoon paper and we are publishing in that period. And this was my assignment.

Mr. GRIFFIN. Are you able to recall what you were doing and whether you were at the police department between approximately 2 in the afternoon on Saturday and 6 in the evening?

Mr. McCULLOUGH. No; this I cannot recall.

Mr. GRIFFIN. Did you go to the police department some time Sunday morning?

Mr. McCULLOUGH. I went to the police department Sunday morning at about 9:30 a.m.

Mr. GRIFFIN. And where did you station yourself?

Mr. McCULLOUGH. I went first to—again—to the police headquarters offices on the third floor, and then went down to the basement garage after it was explained to me that Oswald would be moved to the basement garage level in a special elevator serving the cell block, and would be taken from the basement level, put in a vehicle, and taken to the county prison.

Mr. GRIFFIN. About how long before Oswald actually came out did you go down into the basement?

Mr. McCULLOUGH. There, again, it is a guess. I would say an hour, an hour and a half. I was there quite a long time.

Mr. GRIFFIN. Do you recall where you were standing at the time that Oswald was shot?

Mr. McCULLOUGH. Yes; this I recall very clearly, because I stood on a guard railing protecting a ramp leading to a parking level in the garage. This was a metal railing perhaps 2 feet high, and I stood there supporting myself against a very wide concrete pillar to get a better look at what was going on. There were so many people there, it was difficult to get a decent look, because of my height.

Mr. GRIFFIN. Are you familiar—as you are down there in that basement, and you are standing on that guard railing, looking toward the jail office—that Commerce Street is on your left, or to the south, and Main Street is on your right, or to the north?

Mr. McCULLOUGH. I am not too familiar with the streets.

Mr. GRIFFIN. Let me give you a sheet of paper. Why don't you draw a diagram of that basement, and see if we cannot locate you in reference most particularly to the ramp and the jail office.

Mr. McCULLOUGH. This on an overall basis would be the municipal building. This cross section would be the basement level. Leading into the garage section

of the basement is a door. And this section right here is, I think it is called, the police check-in room.

Mr. GRIFFIN. Jail office?

Mr. McCULLOUGH. Jail office.

Mr. GRIFFIN. Would you want to write in there "Jail Office" where that is?

Mr. McCULLOUGH. There is a door then leading into the corridor. This is the ramp. It is a slight grade, leading down to the parking levels on either side of the ramp. There are several large pillars, I guess over 2 feet square, concrete pillars, along here.

Mr. GRIFFIN. Let me ask you to write in there what is the ramp that the automobiles come in from the streets.

Mr. McCULLOUGH. These would be—as a matter of fact, this is the in lane, and this is the out lane.

Mr. GRIFFIN. You have drawn an arrow indicating the in lane which is Main Street, if you want to write that in.

Mr. McCULLOUGH. I didn't know the names of the streets there.

Mr. GRIFFIN. And, of course, the out, or up ramp is Commerce Street.

Mr. McCULLOUGH. I was there for a sufficiently long time, for instance, that there were very few reporters there when I arrived. The police officers on duty asked me several times for credentials, which I showed. I was there while they went into parked police cars and removed from the parked police cars weapons which they took somewhere into the jail office. I was there when they backed in an armored car from the Commerce Street exit. They could not get it very far back because of overhead ducts, the heating ducts serving the building. So they had to leave the armored car virtually at the exit. It was parked then on an incline.

Mr. GRIFFIN. Where did you station yourself?

Mr. McCULLOUGH. The railing that I mentioned leads along this ramp, and actually it is two metal bars. And I stood on the upper metal bar, leaning against this pillar. In other words, my position would have been here, where I am putting this "X."

Mr. GRIFFIN. And let me state for the record that you have marked a position on the railing which is along what I will call the entrance to the garage. You might write "garage" there. And it is not the railing that is actually on the Commerce Street ramp, or Main Street ramp.

Mr. McCULLOUGH. Actually—that is right. I was immediately against the pillar. In other words, I was using the pillar for support.

Mr. GRIFFIN. And you were on the Commerce Street side of the garage?

Mr. McCULLOUGH. Yes.

Mr. GRIFFIN. Now, as you stood up there on that pillar, or on that railing, do you remember an automobile coming out of the garage and coming up the Main Street ramp just shortly before Oswald came out?

Mr. McCULLOUGH. No; I do not. I remember one car coming out of the parking level and heading toward the Commerce Street ramp, and parking there. Because, for awhile I feared—had it not moved forward, it would have blocked my vision. But it did move forward slightly toward Commerce Street, and then it did give me a clear view.

Mr. GRIFFIN. Do you recall what ability you had to see from the position that you were at up to the top of the Main Street ramp, and to distinguish faces and figures?

Mr. McCULLOUGH. This would have been very limited. I made no effort to look in that direction.

Mr. GRIFFIN. My real question is do you recall—

Mr. McCULLOUGH. No; I don't recall. I may add—the area along the inner part of the ramp, that is the part of the ramp closest to the parking garage, and nearest to Main Street, was pretty well taken up by television cameras, the heavy rolling type, rather than the hand type of equipment.

Mr. GRIFFIN. Do you recall any initial instructions that were given to the press people in the basement, as to where they were to station themselves?

Mr. McCULLOUGH. Yes; we were told by several police officers—as a matter of fact, from the first moment of my entry into this area, I was told that we were

to station ourselves along the ramp, not too close to the exits, and once we were told that Oswald was on his way down, that we were not to move at all.

Mr. GRIFFIN. Do you recall any instruction being given that you were to remain on the garage side of the railings that border the automobile ramp?

Mr. McCULLOUGH. I don't recall any such instructions, because at one point I was standing against a wall, which would be the side of the ramp away from the garage area, and closer to Commerce Street. But I left that, there again, because I had no vision—there was nothing I could see from that particular point.

Mr. GRIFFIN. Do you recall any instructions being given that people were not to station themselves across the Main Street ramp from the railing to the wall?

Mr. McCULLOUGH. I heard no such instructions.

Mr. GRIFFIN. Were you able to observe what efforts were being made on Friday, Saturday, and Sunday to check identification of newspaper people?

Mr. McCULLOUGH. I myself thought that the security in the garage area on Sunday was fairly strong. In other words, I was asked at least four or five times for credentials. And when I moved to this position here—

Mr. GRIFFIN. The one on the railing?

Mr. McCULLOUGH. Indicated by the "X" on the railing—a police officer came over and told me first to get down until I showed him credentials, and then he let me stand. There was some—both Friday night and Saturday there were also occasional checks made. I would say that at least twice on Friday night, and probably twice on Saturday, when I was in and out of the municipal building, that I was asked for press credentials.

Mr. GRIFFIN. Was this as you were entering or leaving the building?

Mr. McCULLOUGH. On Friday night it was as we left the elevator to the third floor, which is located at the police offices, the departmental offices. On Saturday we were asked for credentials before we were permitted into the elevators, leading up to that floor. And, again, as we got off the elevator—they were designated by colored patches on their shoulders—there were a number of auxiliary police officers on duty Saturday.

Mr. GRIFFIN. Mr. Pollak, do you have any questions that you would like to ask?

Mr. POLLAK. I would just ask whether the witness saw anybody other than the man he thought was Ruby who did not appear to be authorized as a newsman in the third floor corridor on Friday or Saturday?

Mr. McCULLOUGH. No. Well, the other robbery units and auto theft were still trying to function Friday night, and moved their people into this crowd along the corridor. So there were what would be civilians and, I suppose, people having business with the police department moving in and out of there constantly.

Mr. POLLAK. Did these people you just referred to—were they normally escorted by a police officer?

Mr. McCULLOUGH. Yes; they were always with an officer, and went into one of the other offices. As I say, I remember specifically there were some sailors in uniform, and a man reporting a stolen automobile—these things you remember because when anybody came along the corridor, none of us had any idea who it might be coming, and everyone watched to see who it was. Incidentally, while I saw the shooting of Oswald, I was not at that time able to identify the man who did the shooting as the same man I had seen in the corridor, because as he moved out of the crowd of people along the ramp toward Oswald, all that I could see was a side view and the back of the head. It was a different type of hat, too.

Mr. GRIFFIN. The hat was different?

Mr. McCULLOUGH. Yes; it was a gray felt hat, or a dark gray felt hat, on Sunday—not the sporty type porkpie that I had seen Friday night. It wasn't actually until I saw a full face photograph of the man on television and in the newspapers that I was sure who he was.

Mr. GRIFFIN. Have you ever seen Jack Ruby in person?

Mr. McCULLOUGH. No.

Mr. GRIFFIN. You used the term that you were sure who it was. Is there any hesitancy or doubt in your mind?

Mr. McCULLOUGH. No; not in my own mind. In other words, I would say my own personal identification would be that the man I saw in the corridor outside the police headquarters on Friday is the same man who was later arrested for the shooting of Oswald.

Mr. GRIFFIN. I have marked for the purposes of identification the diagram that you have drawn here as John G. McCullough Deposition, July 29, 1964, Exhibit No. 1.

(The document referred to was marked John G. McCullough Deposition Exhibit No. 1 for identification.)

Mr. GRIFFIN. For the purpose of our record. I would like you to sign that below where I have marked it.

Mr. McCULLOUGH. With the qualification that I make no pretext of being an engineer or architect. As a matter of fact, the ramp that I have indicated is not—is slightly closer to—

Mr. GRIFFIN. The garage entrance?

Mr. McCULLOUGH. The garage entrance; yes. The ramp leading to the garage entrance is closer to Commerce Street than it would indicate on this sketch.

Mr. GRIFFIN. Well, if it is reassuring to you, we already have a diagram, a chart that has been previously made up of the basement. I think the diagram you have drawn for us indicates with a fair degree of accuracy.

Mr. McCULLOUGH. The other thing that would help me to see what happened in there, was the fact that it was so well lighted by the television cameras. Stark lighting, it almost seemed.

Mr. GRIFFIN. I am going to hand you a second exhibit which I have marked as John G. McCullough Deposition, July 29, 1964, Exhibit No. 2.

(The document referred to was marked John G. McCullough Deposition Exhibit No. 2 for identification.)

Mr. GRIFFIN. That is an interview report prepared by two FBI Agents, John R. Wienberg, and Stanley S. Czarnecki. They prepared this report as a result of interviewing you in Philadelphia on December 1, 1963. The report consists of four pages numbered consecutively at the bottom, for the purpose of our records as 448, 449—five pages—450, 451, 452. Having read the document that we have marked as Exhibit No. 2, would you tell us whether or not that is an accurate report of the interview that these FBI agents had with you on December 1?

Mr. McCULLOUGH. This would be an accurate report. And in addition I would say that the times that I gave to the FBI agents would be better than the times I have given here because it was taken so close to the time of the actual incidents in Dallas.

Mr. GRIFFIN. I want to go back once again to the identification of the man you think was Ruby. Were you continuously on the third floor from the time that you arrived on Friday night at the police station until you saw this man with the Alpacuna box?

Mr. McCULLOUGH. If I was not, it was just briefly to leave and reach a telephone, to try to reach some other member of the Bulletin staff moving around Dallas. In other words, any absence would not be more than 5 or 10 minutes. Because all of the action I was covering was confined to that one floor.

Mr. GRIFFIN. Do you recall a man on the third floor who was standing near the homicide office and was identifying members of the police department, most particularly Captain Fritz and Chief Curry, to members of the press?

Mr. McCULLOUGH. There were several persons doing this. The persons who were making these identifications for me, actually, however, were local Dallas reporters, two men and a woman. All carrying press credentials.

Mr. GRIFFIN. Did any of those persons—obviously not the woman—but did either of the two men bear any resemblance that you recall to Jack Ruby?

Mr. McCULLOUGH. No; none at all. The man that I believed to be Ruby was quite stocky. The two reporters were slight, one wore glasses. I believe they were both light-haired.

Mr. GRIFFIN. If I were to tell you that so far as we have been able to determine Jack Ruby did not own an overcoat such as you have described, and in fact

was not wearing an overcoat on Friday night, would that in any way affect the positiveness of the identification?

Mr. McCULLOUGH. Not the overcoat; no. Because, as I say, the only time I looked at this clothing really is as I was coming down, and from the top—what I saw actually was a dark outer coat which I assumed was a topcoat. If I said overcoat, I meant a topcoat.

Mr. GRIFFIN. Are you certain in your mind that this man did have a topcoat or outer coat on?

Mr. McCULLOUGH. Yes. I paid it no particular heed at the time, though.

Mr. GRIFFIN. Well, again, bearing in mind what I have said, that Ruby is not known by anybody else who believes they saw him on Friday night to have been wearing any sort of an outer coat, would that alter the certainty with which you have identified him here today?

Mr. McCULLOUGH. No. Actually, because the identification—what makes me believe that the man I bumped into and talked to at least for a moment was Ruby was his face, not the clothing.

Mr. POLLAK. I wonder if we could get a fuller description of the hat he was wearing.

Mr. McCULLOUGH. The hat that I have called a porkpie hat is a hat with a flat top rather than with the crease that you usually find in a felt hat. It was made of—well, for want of a better word I will use—a hairy material, rather than the soft felt material.

Mr. GRIFFIN. Is that a characteristic of this man's clothing that is firmly impressed on your mind as his face?

Mr. McCULLOUGH. Yes; yes. Because there, again, as I say, I took a look at him as I was coming down, and the fact that there was no crease, and it was not the usual type of felt hat did stick in my mind, even before I saw his face.

Mr. GRIFFIN. You indicated earlier that the hat that you believed Ruby was wearing when he shot Oswald was a different kind of hat from the one you saw on Friday night.

Mr. McCULLOUGH. Yes.

Mr. GRIFFIN. Have you ever actually seen the hat that Ruby was wearing on Sunday?

Mr. McCULLOUGH. No; just from my view, there again, that I had in the garage at the time of the shooting. I have never actually seen the hat to examine it as such.

Mr. POLLAK. Could we ask Mr. McCullough about the movements the man actually made who did shoot Oswald?

Mr. GRIFFIN. I wasn't going to ask him the question, because we have the films. But if you have a question, Mr. Pollak, go ahead and ask him.

Mr. POLLAK. You did observe Ruby step forward and shoot Oswald?

Mr. McCULLOUGH. Yes; I saw a man in effect move out of the line of people along the ramp, and, frankly, at first I thought he was a photographer who was disobeying the instructions against any movement. And then I saw his arm come up, and I momentarily wondered whether he was going to try to shake hands with someone there. Then I saw the flash of metal in his hand—there, again, under these tremendously bright lights. And I saw, or heard the shot, heard a shot, saw a flash of flame against Oswald's sweater. And then there was complete confusion in the garage area. There were policemen actually throwing themselves, sliding along the tops of the parked automobiles to get at the scene of this melee that was underway there.

Mr. POLLAK. Could you tell us, Mr. McCullough, where this man, Ruby, was in the garage when he first came to your attention?

Mr. McCULLOUGH. Well, the first time I noticed him at all is when he detached himself from the crowd, in other words when he walked forward from the crowd along the ramp.

Mr. POLLAK. You did not see him, observe him moving into that crowd at any time?

Mr. McCULLOUGH. Not, not at all. The first time I noticed him was when he moved toward the two police officers and Oswald, who was between the two officers. And I did hear someone call out—the exact words were, "Jack, Jack, you son-of-a-bitch." And some other reporters said that they thought it came

from—that some of the phrase came from the man who did the shooting. But it seemed to me it came from a policeman who was standing in the corridor opposite the entrance to the booking room. And I got a look at this officer when he moved into the group around Ruby, and found him later on the third floor, and he did say it was he who shouted out, and that his assignment was the vice squad in Dallas, and that he recognized Ruby as Ruby moved toward Oswald. The officer's name is in that statement, but what it is—I forget it, myself, now.

Mr. GRIFFIN. We have it in the statement, and this is going to be a part of the statement.

Mr. McCULLOUGH. And the officer told me and told other reporters this at the same time—that he knew Ruby from his regular patrol work as a vice squad officer.

Mr. GRIFFIN. Is there anything that you can think of that might be pertinent to our investigation that you have observed that we have not talked about here today, or which you did not mention in the interview on December 1?

Mr. McCULLOUGH. The only thing that might be worthy of mention is the fact that when Wade, the police chief, and the homicide squad Captain Fritz talked to reporters, they were under constant pressure to produce Oswald. As a matter of fact, on many occasions, late Friday night, early Saturday morning, they were told by various reporters that they owed an obligation to this country and the whole world to let them see the man who shot the President. And this, I think, is why they did produce—

Mr. GRIFFIN. Did you actually hear some reporters say that?

Mr. McCULLOUGH. Yes.

Mr. POLLAK. In that vein, did you hear any insinuations being made that the Dallas Police Department might have been mistreating Oswald?

Mr. McCULLOUGH. Only from Oswald. He at one time, when he was walking along the corridor—and here I don't know whether he was on his way to this press conference, for want of a better word, or whether he was leaving. He said something about his sanitary rights were being violated. One of the policemen said he wants to take a shower. Oswald himself, the first time I saw him, in the lineup room—there, again, at the basement level—he held his hands high so that the handcuffs he was wearing would be seen on camera. And this struck me as a little unusual, because having had many, many years as a police reporter, I have seen people who were charged with crimes try to cover their face. He made no such movement. He was just trying to display the handcuffs, which struck me as odd.

Mr. GRIFFIN. Do you feel that it would have been proper or improper for the police department not to have permitted news media representatives on the third floor on Friday, Saturday, and Sunday?

Mr. McCULLOUGH. Well, my own personal opinion—I feel that it would have been perfectly proper for them to have not permitted news media representatives on that particular floor. But there, again, having said this, I would like also to say I don't think there is any police department in the country that is set up to handle an investigation following the assassination of a President. I think they were extremely sensitive to public opinion, and were trying to do their best to show that they were doing a good job.

Mr. GRIFFIN. How many other police departments have you had experience with in your years as a reporter?

Mr. McCULLOUGH. Well, as a police reporter it was pretty much in Philadelphia. But as far as security around a President—I have traveled with several Presidents, in political campaigns and tours, and so that I have seen the police operate in New York and Chicago.

Mr. GRIFFIN. How many years experience have you had in Philadelphia as a police reporter?

Mr. McCULLOUGH. Ten.

Mr. GRIFFIN. I am asking here now for a personal opinion. In your estimation, do the police have an affirmative obligation to render affirmative assistance to newspaper reporters in covering matters?

Mr. McCULLOUGH. I think they do. Yes; so long as it does not hinder the investigation, as such. Actually, I think that in most cases this can be done without any hindrance to the investigation. Of course, while I say it would

have been proper for the Dallas police to have not permitted the reporters in the immediate vicinity of the area where Oswald was being questioned, I think—I cannot think of any city where I could have expected the thing to be handled in a different way than from what it was handled in Dallas. I think the thing was a crime of such magnitude that the police themselves wanted—having had an arrest, I think that they were then anxious to show that they had solved the shooting, and that they were trying to erase what they considered to be a stigma on the name of Dallas.

Mr. GRIFFIN. Looking back over your experiences on those 3 days, do you have any suggestions as to how the police could have handled the press consistent with what you consider to be their obligation to render assistance to the press in the performance of the press duties?

Mr. McCULLOUGH. Nothing, beyond the fact that they might have, and there would have been a tremendous yell of censorship and violation of freedom of the press—they could have kept the media, the news media, in one area, and established some sort of a liaison, appointing an officer to bring information to them. This I have never seen done. But it could be done. It is entirely a personal opinion. I think that the Dallas police performed pretty well. As I say, I was asked constantly for credentials. And most of the reporters near me were also asked for credentials. Especially on the morning—Sunday morning, in which it was planned to move Oswald, they were very strict.

Mr. GRIFFIN. Do you think it would have been proper or improper for the police to have barred the press from the basement area at the time that Oswald was being transferred?

Mr. McCULLOUGH. I think what they did was proper. In other words, I feel that they felt that they had the situation under complete control. That had everyone stayed in the positions, with no movement, that there was sufficient space in there to guard the prisoner and to move him out without anything going wrong in the basement.

Mr. GRIFFIN. You say that on the assumption that there was nobody in there bent upon shooting him.

Mr. McCULLOUGH. That is right. There, again, you don't want to get too much personal opinion there, but I think it is possible at any time for anyone who really wants to kill somebody to do it—a public official or anyone else.

Mr. GRIFFIN. So that our record may be complete here, how many years experience have you had as a newspaper reporter?

Mr. McCULLOUGH. Twenty-six years.

Mr. GRIFFIN. Prior to your giving your testimony here this morning, have I or any other member of the staff of this Commission discussed your testimony with you?

Mr. McCULLOUGH. No; not at all.

Mr. GRIFFIN. Mr. Pollak, do you have any further questions?

Mr. POLLAK. No; I don't think so.

Mr. GRIFFIN. Do you have anything, Mr. McCullough?

Mr. McCULLOUGH. No; that is all.

Mr. GRIFFIN. Let me thank you for coming here. Your assistance has been considerable to us, and we appreciate it very much.

Mr. McCULLOUGH. I don't know whether it has been of any value. But I am delighted to fulfill the request.

Mr. GRIFFIN. We are happy that you could come. And, again, I thank you.

TESTIMONY OF ABRAHAM KLEINMAN

The testimony of Abraham Kleinman was taken at 11:35 a.m., on July 24, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Burt W. Griffin, assistant counsel of the President's Commission.

Mr. GRIFFIN. Let me introduce myself again. I am Burt Griffin.

Mr. KLEINMAN. I am Abe Kleinman.

Mr. GRIFFIN. I am a member of the general counsel staff of the President's Commission on the Assassination of President Kennedy.

It is our normal procedure to explain a little bit about what we are doing here before we ask you to testify.

The Commission was set up pursuant to an Executive order of President Johnson and the joint resolution of Congress, and it has been directed to investigate, evaluate, and report back to President Johnson upon all the facts surrounding the assassination of President Kennedy and the death of Lee Harvey Oswald.

We have asked you to come here today particularly because you were acquainted with Jack Ruby, and we would like to find out what light you can shed upon Jack Ruby and his involvement in the events of November 22, 23, and 24.

Under the rules and regulations of the Commission, I have been designated to take your deposition today. Also, under these rules, the witness is entitled to have a written notice 3 days before he appears to testify. I might ask you if you have received such a notice.

Mr. KLEINMAN. Yes; I received that Sunday. I wasn't there but it was signed for in my sister's hand.

Mr. GRIFFIN. When did you actually see it?

Mr. KLEINMAN. The notice here?

Mr. GRIFFIN. Yes.

Mr. KLEINMAN. Sunday.

Mr. GRIFFIN. Then you have had 3 days?

Mr. KLEINMAN. Yes; I called Monday to find out about it.

Mr. GRIFFIN. Let me ask you first of all, do you have any questions about what is taking place here? And if so, I will try to answer them for you.

Mr. KLEINMAN. Well, I really don't know what, except what I read. That is, that you wanted me to come up here and answer some questions.

Mr. GRIFFIN. Why don't we proceed with the testimony, and if you have any questions, you may ask them.

Mr. KLEINMAN. I wouldn't have any questions, because I don't know just what you want or what I could tell you.

Mr. GRIFFIN. We will try to ask you some questions and we will see what answers we can get. If you have any questions, feel free to ask me.

Mr. KLEINMAN. I don't have any, because I don't know very much about it, except I knew Jack Ruby.

Mr. GRIFFIN. All right, let me ask you then if you will raise your right hand and I will administer the oath to you.

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. KLEINMAN. Sure.

Mr. GRIFFIN. Would you state for the court reporter what your full name is?

Mr. KLEINMAN. Abraham Kleinman.

Mr. GRIFFIN. Would you spell it?

Mr. KLEINMAN. K-l-e-i-n-m-a-n.

Mr. GRIFFIN. Where do you live, Mr. Kleinman?

Mr. KLEINMAN. 1189B Timplemore Drive.

Mr. GRIFFIN. Is that here in Dallas?

Mr. KLEINMAN. That is near White Rock Lake.

Mr. GRIFFIN. When were you born?

Mr. KLEINMAN. December 16, 1902.

Mr. GRIFFIN. Do you have a trade or profession?

Mr. KLEINMAN. I am a public accountant.

Mr. GRIFFIN. How long have you been a public accountant?

Mr. KLEINMAN. Well, I started practicing after I got out of the service in 1943.

Mr. GRIFFIN. How long have you lived in the Dallas area?

Mr. KLEINMAN. I have lived here in Dallas about 58 years.

Mr. GRIFFIN. Pretty close to a native.

Mr. KLEINMAN. Pretty close.

Mr. GRIFFIN. Do you recall when it was that you first met Jack Ruby?

Mr. KLEINMAN. Well, I really don't recall when or how I met him, but I guess its been maybe 12 or 13 or maybe less, somewhere in there.

Mr. GRIFFIN. Did there come a time when you began to do accounting work for him?

Mr. KLEINMAN. Well, I have. I did accounting work for him. He wanted me to work out his corporation returns for the State and the Federal, but I have never been able to complete it for him.

Mr. GRIFFIN. When was it that he asked you to do that?

Mr. KLEINMAN. It was sometime in 1962, the latter part of 1962.

Mr. GRIFFIN. Did you ever do any work for him before that?

Mr. KLEINMAN. Yes. I checked some records for him with the Internal Revenue. I don't recall when.

Mr. GRIFFIN. Did you know him on a social basis between the time you first met him?

Mr. KLEINMAN. Not socially. I would know him like you meet anyone and know him, as an acquaintance.

Mr. GRIFFIN. Where would you meet him?

Mr. KLEINMAN. Oh, sometimes I would run into him downtown. And while I was doing work for him, he would come by the office, and I would have to go by his place of business on Commerce Street to the Carousel.

Mr. GRIFFIN. Did you visit the Carousel Club from time to time?

Mr. KLEINMAN. Well, I had visited there a number of times maybe around the latter part of the month to bring him some reports to sign, or get the social security withheld, or get his tax reports out.

Mr. GRIFFIN. Did Jack bring any records to you on a monthly basis?

Mr. KLEINMAN. He was supposed to. He brought quite a few records. There was a lot of records missing that he brought up later. We were trying to accumulate all the records to work up his report.

Mr. GRIFFIN. Were you able to tell from an examination of the records that he did bring you whether or not the Carousel Club was a profitable operation?

Mr. KLEINMAN. Well, from the looks of it, it didn't look like it was too profitable, as far as I could tell. Of course, I never did get the final, get to make a final.

Mr. GRIFFIN. Did you have any indication that he was actually losing money?

Mr. KLEINMAN. Well, at times he said it was losing money.

Mr. GRIFFIN. Did the records substantiate that?

Mr. KLEINMAN. Well, that I couldn't say because I didn't have all the records, all of his paid receipts. And over a period of 6 or 8 months, why he would find additional receipts and bring to me.

Mr. GRIFFIN. Receipts meaning?

Mr. KLEINMAN. Paid bills such as for merchandise.

Mr. GRIFFIN. If there were any missing, that would only reduce his profit?

Mr. KLEINMAN. If it were missing, it would increase his profit, because it wouldn't be charged off.

Mr. GRIFFIN. Well, you mean for tax purposes?

Mr. KLEINMAN. Oh, yes.

Mr. GRIFFIN. I was thinking of for straight business accounting whether you could tell from the records whether he had a net profit after everything was taken off.

Mr. KLEINMAN. It is hard to say in that business because you would have to take in a certain amount of money. You don't know whether you have a profit or loss until you bring in all of your expenditures, your entertaining help and other help that he might have.

Mr. GRIFFIN. On the basis though of what he did bring in to you, did he show a net profit?

Mr. KLEINMAN. Well, I didn't get that far on it, because there was a lot of information that he had there that I couldn't identify readily, and I had to get him to explain some of the transactions.

Mr. GRIFFIN. Did you ever have occasion to discuss with Jack his religious beliefs?

Mr. KLEINMAN. Beg your pardon?

Mr. GRIFFIN. Did you ever have occasion to discuss with Jack his religious beliefs?

Mr. KLEINMAN. No.

Mr. GRIFFIN. Did Jack ever express to you any concern or sensitivity about his position in Dallas as a Jewish person?

Mr. KLEINMAN. No; I have never gone into it. I never discussed anything like that with him. In the first place, when he came up to see me, the main thing I was interested in was getting his reports that he had to file quarterly, because they were behind originally, and I was trying to get him up to date on it, and it took up so much time, that I couldn't discuss anything with him.

Mr. GRIFFIN. Do you know where Jack Ruby maintained his bank account?

Mr. KLEINMAN. Well, he had a small bank account. I think it is in the Merchants State Bank. I think that is the name of the bank. I have got it in the office.

Mr. GRIFFIN. Any other, that you recall?

Mr. KLEINMAN. No. There might have been another account, but I don't remember what bank it would be, because the bank accounts he had were very small. I think most of his business was handled out of his pocket.

Mr. GRIFFIN. Did you know Mr. Ruby's friend, George Senator?

Mr. KLEINMAN. I met him downtown. I met him, if I remember correctly. I first met him in the Statler's Men Shop. I think he was selling. He was a salesman representing, I don't know whether it is men's line or what line of merchandise it is he was representing.

Mr. GRIFFIN. Did you see him at all on November 22 or 23 or 24?

Mr. KLEINMAN. Who is that?

Mr. GRIFFIN. George Senator.

Mr. KLEINMAN. I don't think so. I don't remember seeing him.

Mr. GRIFFIN. Let me ask you, where were you at the time you learned that President Kennedy had been shot?

Mr. KLEINMAN. Well, I was in this restaurant that burned down here on Commerce Street next to the Picadilly. I don't know whether it is right next to it, or either one door away. Someone came in and said the President had been shot, and I knew that the parade had just passed by. I was on Akard and Main Street. And we thought they were kidding because it was so fast, they would get the news out so quick.

Mr. GRIFFIN. What did you do after you heard that?

Mr. KLEINMAN. Well, I walked up the street there to Sol's Turf Bar and they had it turned on television.

Mr. GRIFFIN. How long did you remain on Friday at Sol's?

Mr. KLEINMAN. Well, I don't remember. I usually go by there every evening. He is one of my clients.

Mr. GRIFFIN. Do you remember where you were Friday evening?

Mr. KLEINMAN. Well, I don't think I could remember exactly where I was.

Mr. GRIFFIN. Now on Saturday, did you have occasion to go to Sol's Turf Bar?

Mr. KLEINMAN. Yes. I usually go there on Saturdays to make up their payroll, and that Saturday, if I am not mistaken, I was at the barber shop until about, oh, maybe 2:30 or a quarter to three. Then when I left there I went over to Sol's to make up the payroll, and Jack Ruby was in there that afternoon.

Mr. GRIFFIN. Did you see Jack in there when you walked in the door, or was it sometime later?

Mr. KLEINMAN. Well, he was in there when I walked in, and he left within about, oh, just a few minutes.

Mr. GRIFFIN. Where was Jack when you first saw him in the bar?

Mr. KLEINMAN. That afternoon?

Mr. GRIFFIN. Yes.

Mr. KLEINMAN. He was in Sol's.

Mr. GRIFFIN. Whereabouts? In a booth, or at a table, or along the bar?

Mr. KLEINMAN. No; he was standing there talking to two or three people.

Mr. GRIFFIN. Do you remember who those people were?

Mr. KLEINMAN. Well, I don't recall. One of them was Frank Belocchio. I don't recall who else was in there. There was a group of people in there.

Mr. GRIFFIN. What did you do when you saw Jack?

Mr. KLEINMAN. Well, I didn't do anything. I said hello to him. He was showing them some pictures that he either made or he took off of a signpost somewhere regarding somebody that put them on there. I think the sign was supposed to read, or did read—I didn't take a good look at it—to impeach Warren. And, of course, I hadn't heard anything about it, and I didn't even know where he got it.

Mr. GRIFFIN. Did you hear Jack say anything about those pictures?

Mr. KLEINMAN. Well, I don't remember what he said, but he seemed to be upset about the pictures. I don't know what their conversation was before I came in.

Mr. GRIFFIN. What was the conversation after you came in?

Mr. KLEINMAN. Well, I don't think there was anything except, you know, he mentioned about those pictures on the Warren impeachment, and then they were looking at an advertisement out of the News. Someone had a full page advertisement about President Kennedy, I think it was.

Mr. GRIFFIN. Did Jack indicate whether or not he knew who Mr. Warren was?

Mr. KLEINMAN. No; he didn't. Well, I imagine he knew that he was a Chief Justice.

Mr. GRIFFIN. Why was he upset about the photograph?

Mr. KLEINMAN. That I don't know.

Mr. GRIFFIN. How long did you stand there?

Mr. KLEINMAN. I beg your pardon?

Mr. GRIFFIN. How long did you stand there at that conversation?

Mr. KLEINMAN. I don't know how long I did stay in there.

Mr. GRIFFIN. How long were you present during the conversation?

Mr. KLEINMAN. I don't think I was there over 2 or 3 minutes, because I went back in the back to try to get the payroll out.

Mr. GRIFFIN. Do you know Ralph Paul?

Mr. KLEINMAN. Yes.

Mr. GRIFFIN. How long have you known Ralph Paul?

Mr. KLEINMAN. Oh, just a very short time. Jack introduced me to him up at the club, and, of course, I knew the name from the records that I was working on, but I don't know him very well.

Mr. GRIFFIN. Did you have occasion to see Ralph Paul at any time the weekend the President was shot?

Mr. KLEINMAN. No, sir.

Mr. GRIFFIN. Did you have occasion to see any friends or employees of Jack Ruby on that weekend?

Mr. KLEINMAN. No, sir. I believe he closed the place up on Friday.

Mr. GRIFFIN. I am going to mark for the purpose of identification a document which is an interview report prepared by two FBI agents, Lansing P. Logan, and Alton E. Bramblett. I am going to mark this document "Abraham Kleinman, Deposition July 24, 1964, Exhibit No. 1." This report consists of 3 pages that are numbered consecutively, 317, 318, and 319. The report pertains to an interview which Logan and Bramblett had with you on December 7, 1963. I will ask you to look at that and read it and tell me if it is an accurate report of the conversation they had with you on that day.

Mr. KLEINMAN (after reading). No; its got one mistake here. It says certified. I am not certified. I am a registered public accountant. This 59 here, I think I may have said 59, but it is about—I am 61 last December—about 58 years here.

Mr. GRIFFIN. What does that pertain to? What does the year 1953 refer to?

Mr. KLEINMAN. It don't say. It just says 59 years here in the Dallas area. That is close enough. That is about right.

Mr. GRIFFIN. Do you have any additions or corrections that you think should be in this?

Mr. KLEINMAN. Well, I don't think I know of any. I don't recall any.

Mr. GRIFFIN. Well, let me ask you then if you will sign your name on the first page and initial the next 2 pages.

Mr. KLEINMAN (signs and initials).

Mr. GRIFFIN. Just any place that is conspicuous. Thank you very much.

Mr. KLEINMAN. I don't recall anything else that I would know. In fact, I have been so darn busy I haven't had time to even read the paper. I have read some of it.

Mr. GRIFFIN. If there is anything that should come to your attention that you think would be valuable to the Commission, I will appreciate your letting us know.

Mr. KLEINMAN. Sometime you hear a lot of different conversations which it doesn't make sense. People form opinions and this and that. It is all foreign to you.

Mr. GRIFFIN. Have you heard any information of anything about how Jack Ruby got into the basement of the Dallas Police Department on November 24?

Mr. KLEINMAN. No; that I didn't. I don't know how he could get in there myself.

Mr. GRIFFIN. Do you have any information pertaining to anybody who might have given him any assistance or urged him in any way?

Mr. KLEINMAN. No.

Mr. GRIFFIN. Thank you very much. I appreciate your coming here. It was nice to meet you.

Mr. KLEINMAN. Nice meeting you.

TESTIMONY OF WILMA MAY TICE

The testimony of Wilma May Tice was taken at 3:20 p.m., on July 24, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Burt W. Griffin assistant counsel of the President's Commission.

Mr. GRIFFIN. Let me state for the record while Mrs. Tice is here, that I have talked with your husband for a few minutes and I have explained to him that the decision as to whether or not other people are to be in the hearing room with us is the one that the witness makes, and that we have permitted public hearings at the request of the witness, and we have had private hearings at most of these. After I talked with him at some length, I think he agreed with me that if it was your wish that he not be in here, that we go ahead and have this as a private hearing. So I will first of all ask you, Mrs. Tice, if you would like to go ahead privately, or if you would prefer to have your husband in here?

Mrs. TICE. I would prefer not to have my husband in here.

Mr. GRIFFIN. Let me introduce myself again. My name is Burt Griffin, and I am a member of the general counsel's staff of the President's Commission on the Assassination of President Kennedy. I want to explain to you preliminarily that what we are doing here and how we are set up and then I will ask you to take the oath and testify.

Mrs. TICE. Let me ask you first, is this to be told to my husband?

Mr. GRIFFIN. We will not tell your husband about it, but we are taking a printed transcript and these will all be public records eventually, and it will certainly be available to your husband to read if he should ever want to. Now, if you would prefer not to testify about this, why I think that we are not going to ask you to do it.

Mrs. TICE. You mean I don't have to testify? I don't have to say anything if I don't want to?

Mr. GRIFFIN. No; if you would prefer not to testify, why, I am not going to compel you to do it. We asked you to come here because the FBI had interviewed you, and we wanted to get under oath what they had reported to us previously. But as I say, if you have domestic reasons why you don't want to talk about this, we are certainly not going to force you to do it.

Mrs. TICE. Will I be subpoenaed later for something?

Mr. GRIFFIN. We will not subpoena you. The report is in the records.

Mrs. TICE. There is nothing I want to retract.

Mr. GRIFFIN. Well, I can't assure you that the Ruby family won't ask you to testify in court some day.

Mrs. TICE. Well, what is it you want to know from me now?

Mr. GRIFFIN. Well, we were going to talk to you about matters that you talked to the FBI about.

Mrs. TICE. That is all?

Mr. GRIFFIN. That is all.

Mrs. TICE. OK.

Mr. GRIFFIN. Would you rather think about this? There is no reason why you have to make a decision today about it.

Mrs. TICE. Well, I mean if you just want me to tell you the story, that story over again, I would rather do it right now, because my husband is so upset now because I had to come up here again with that.

Mr. GRIFFIN. Well, you know that we can't, that the chances are 99 out of 100 that your husband will find out what your testimony was. You are aware of that?

Mrs. TICE. Is that from a promise that you made that he would be able to see it later?

Mr. GRIFFIN. No; that is simply because this is all going to be a part of a public record, and it will be available for anyone to look at, and it will be easily accessible to anyone in Dallas to look at.

Mrs. TICE. When?

Mr. GRIFFIN. In a couple of months.

Mrs. TICE. Not before that?

Mr. GRIFFIN. Well, whenever the report is published. I would guess in early fall that the report will be out.

Mrs. TICE. Well, go ahead and ask me whatever you want to ask me now, whatever it is you want to know.

Mr. GRIFFIN. Let me explain to you then that the Commission, as you know, was set up to investigate the assassination of President Kennedy, and the murder of Lee Harvey Oswald. I have already explained why we have asked you to come here, and I am designated under the rules of the Commission to take your testimony.

Now, I might also advise you that you are entitled to be represented by counsel and consult with an attorney if you would like to before you come in here. Also, you are entitled to have 3 days' written notice before you come to testify. Did you get a letter from us, incidentally?

Mrs. TICE. Sunday.

Mr. GRIFFIN. So if you would like to consult with an attorney before you testify, we can let you do that, too. Be happy to.

Mrs. TICE. I got this from Washington.

Mr. GRIFFIN. Yes.

Mrs. TICE. It said that Hubert, Jr. and Burt Griffin.

Mr. GRIFFIN. I am Burt Griffin.

Mrs. TICE. This letter here.

Mr. GRIFFIN. Yes ma'am.

Mrs. TICE. Well, what do you want to know?

Mr. GRIFFIN. Let me ask you to raise your right hand and I will administer the oath to you. I hope we understand that you are testifying freely and voluntarily. Do you have any reservations about testifying?

Mrs. TICE. I don't know if it is going to cause any more trouble than it already has. I don't see how it could.

Mr. GRIFFIN. Let me put it this way. Would you prefer not to testify?

Mrs. TICE. Not necessarily.

Mr. GRIFFIN. All right, why don't you raise your right hand and I will administer the oath.

Do you solemnly swear that the testimony you are about to give, will be the truth, the whole truth, and nothing but the truth; so help you God?

Mrs. TICE. I do.

Mr. GRIFFIN. Would you give the court reporter your full name, please?

Mrs. TICE. Wilma May Tice.

Mr. GRIFFIN. Where do you live, Mrs. Tice?

Mrs. TICE. 8406 Lakemont Drive.

Mr. GRIFFIN. Is that in Dallas?

Mrs. TICE. Dallas 9, Tex.

Mr. GRIFFIN. When were you born, Mrs. Tice?

Mrs. TICE. March 3, 1925.

Mr. GRIFFIN. You are married?

Mrs. TICE. Yes.

Mr. GRIFFIN. How long have you been married?

Mrs. TICE. December 6, 1948. Fifteen years.

Mr. GRIFFIN. Do you have any children?

Mrs. TICE. We have three adopted children.

Mr. GRIFFIN. Are you employed?

Mrs. TICE. No; I am not employed and haven't been since I worked for the juvenile department.

Mr. GRIFFIN. When did you work for the juvenile department?

Mrs. TICE. When we adopted our last two children.

Mr. GRIFFIN. Did you adopt them through the juvenile department?

Mrs. TICE. We did.

Mr. GRIFFIN. When is that that you last worked for them?

Mrs. TICE. I guess 1961.

Mr. GRIFFIN. How old are your children?

Mrs. TICE. The youngest one is 6, will be 7 in August. The next one is 8, was 8 June 28. And the little boy is 9, and will be 10 November 19.

Mr. GRIFFIN. What job did you have with the juvenile department?

Mrs. TICE. I was the manager of the foster home.

Mr. GRIFFIN. You say you were the manager of the foster home?

Mrs. TICE. Yes.

Mr. GRIFFIN. What does that mean?

Mrs. TICE. When the police or the sheriff or anybody picks up the little children that have been abandoned, or if there has been trouble or anything, well, the police bring them to me and bring me a police sheet on it, and in return I call the juvenile department, and then they know how to appoint what social worker that should be appointed to the case.

Mr. GRIFFIN. You took care of the children until a home was found for them?

Mrs. TICE. No; I was the manager. I took care of the children until they were assigned to a worker, or if I would get too many children, the supervisor would come out and we had foster homes that would take the children until their hearing or what-have-you.

Mr. GRIFFIN. But the children would actually live in your home?

Mrs. TICE. Yes.

Mr. GRIFFIN. How long did you do that?

Mrs. TICE. For a year or a little over. Maybe a year, or going on 2 years.

Mr. GRIFFIN. Did you know Jack Ruby before November 22?

Mrs. TICE. No; I did not.

Mr. GRIFFIN. Did you follow the Ruby trial in the newspapers?

Mrs. TICE. I saw some of the news, yes; I did, but then I had a wreck January 23, and January 23 I was pretty sick until April 21. I mean, I had trouble with vision and was going to the doctor every day, and was in bed practically all the time.

Mr. GRIFFIN. What kind of injury did you sustain in the accident?

Mrs. TICE. Well, I had something wrong with the optical nerves or pinched nerves in my neck from a whiplash, and pulled muscles in my shoulder, and something, I don't know what he said, this vertebra was cramped against the other vertebra, and had a nerve pinched in between it or under.

Mr. GRIFFIN. Was this an automobile accident?

Mrs. TICE. Yes, sir.

Mr. GRIFFIN. Were you rendered unconscious in the accident?

Mrs. TICE. Well, I guess I was slightly in shock. I am not sure. I mean, well, I was pretty frightened. I mean I wouldn't let the officer take me to the doctor. I wanted to wait until my husband got home to take me to the doctor, because my husband can be there in 5 minutes.

Mr. GRIFFIN. Were you hospitalized?

Mrs. TICE. No; I was not.

Mr. GRIFFIN. What do you think about the outcome of the Ruby trial?

Mrs. TICE. I don't know what to think about it. I really don't know what to think about it. I mean, as far as the trial is concerned, I don't understand it at all. I mean, there is just a lot of it I don't understand.

Mr. GRIFFIN. Do you have any feeling about whether Jack was treated fairly or not?

Mrs. TICE. That part I couldn't say. I don't know whether he was treated fairly or not. I just wouldn't even know if he was treated fairly, because I wasn't up there. I mean, I can't say. I felt like, I guess what you really want to know is how in the beginning I talked with Eva?

Mr. GRIFFIN. Yes; that's right.

Mrs. TICE. Well, I called Eva. It was no more than a sympathy call. And when I called her I didn't get her on the phone. I got Eileen on the phone. And I felt sorry for them because they had been so deserted for something that their brother had done. They had been rejected by everybody, and I felt sorry for them. I mean just like I try to teach my children, right is right and wrong is wrong, and I try to abide by the same thing.

Mr. GRIFFIN. You called for the purpose of cheering her up, was that it, in some way?

Mrs. TICE. Yes. I called her after the verdict. It was after the verdict that I called her to give her my sympathy. That is why. And then I talked with Eileen. And instead, she said Eva was rather upset. Then in talking with Eileen, I think she called or I don't know, I talked again—I don't know if Eva called me, or Eileen called me, but something was mentioned about their brother being out at the hospital, and at the time I said to her it was really a shock to me to see—I mean I was in the kitchen when I heard the news, and the children said when they were transferring him, Ruby did this. And she said they were so shocked and all tore up, and I said yes, it was quite a shock to me because seeing him just 2 days later out at the hospital wanting to give Governor Connally a kidney, that he could go down and try to save one life, and go take another life, it just didn't make sense. And she said, "Oh, he is sick, he is just sick." And said, "He has been acting just peculiar ever since this thing happened." And she told me then that another time, well, Eileen asked if she could come and talk to me, if she could come out to the house. So she and Eva came out, and two newspaper reporters came along with me. Art Sinclair and this other one, I don't know what his name was. Anyway, they were talking to me about Ruby being out to the hospital, and that is just about all I know.

Mr. GRIFFIN. Mrs. Tice, did you know that Jack himself has denied very vehemently he was out at the hospital?

Mrs. TICE. Yes; I know he denied that, and I hated to say that I saw him out there, and I told Eva. And Eva told me, "Well, I asked Jack and Jack said no, he wasn't out there." And I said, "Well, anybody can make a mistake. Anybody could have made a mistake." She said, "Yes, because there are many Jacks. A man called Jack,"—and if it wasn't him it was his twin brother.

Mr. GRIFFIN. Do you think you could have been mistaken about the man you saw?

Mrs. TICE. It could have been somebody else that looked just like Jack, named Jack; yes.

Mr. GRIFFIN. If you had been really sure of it that you saw him out there, wouldn't you have reported it to the FBI or the police in late November or early December?

Mrs. TICE. Now this is where my husband's part comes in. He doesn't like for me to go out of that house unless he is with me. He goes down to the farm every weekend, and I was at home alone. My children were in school and

everybody was gone. I mean, not only me, but everybody in Dallas was looking and listening. And I decided that I would jump in the car and run over there too. It is only 15 minutes from my house.

Mr. GRIFFIN. You mean when you went to Parkland Hospital?

Mrs. TICE. When I went to Parkland Hospital.

Mr. GRIFFIN. Did your husband object to the fact that you had gone to Parkland Hospital?

Mrs. TICE. Yes.

Mr. GRIFFIN. Has this disturbed you, his objection to that?

Mrs. TICE. Yes; it disturbs me all the time, because he doesn't want me to go out of the house while he is gone, because he says my place is in the house.

Mr. GRIFFIN. If you were really sure that the man you saw out there was Jack Ruby, wouldn't you have reported it to the police or the FBI within a few days, or called them on the telephone, or something like that and told them about it very shortly after Jack shot Oswald?

Mrs. TICE. No; because I thought they knew everything. I didn't know that Eva and them didn't know he went out there, or I wouldn't have said that to her.

Mr. GRIFFIN. You assumed that when you said that, that they knew?

Mrs. TICE. That they knew he was out there.

Mr. GRIFFIN. That they thought he was out there?

Mrs. TICE. I assumed they knew he was out there.

Mr. GRIFFIN. Had you read the article that one of the newspaper reporters wrote who also said he saw Jack Ruby out at the Parkland Hospital.

Mrs. TICE. No, sir; I didn't read that.

Mr. GRIFFIN. You are not familiar with that?

Mrs. TICE. No.

Mr. GRIFFIN. The reason you are telling us that you didn't call the FBI earlier is that you assumed that they knew that he was out at Parkland, that he had been at Parkland Hospital?

Mrs. TICE. I assumed that they knew everywhere he had been.

Mr. GRIFFIN. How did you expect that they would have known that unless somebody told them about it?

Mrs. TICE. Well, they are talking to the news all the time, and Eva said they tracked him down from here to there and said that they had asked her all about it and everything. And she wanted to know what time I saw him out there. I said, "I don't know what time it was, but I know that I was out at the hospital by 1 o'clock, and I know that I was back at my house at 3 o'clock, because my children get home from school at 10 after 3, and when they come home I am home."

Mr. GRIFFIN. How long had you stood out there before you saw this man that you thought was Jack Ruby?

Mrs. TICE. Well, there was some lady and some little child with some group of people standing there and I asked them what they were doing now and she said, "Well, they haven't said anything." And she said she can't hear anything. This is when I saw the one that at that time I didn't know was anybody like Jack Ruby, and then this man that came up to him and slapped him on the shoulder and started talking to him.

Mr. GRIFFIN. How long did this man that you think was Jack Ruby, how long did he stand out there next to you?

Mrs. TICE. I was standing about 3 feet from them.

Mr. GRIFFIN. Where was he standing in relation to you. Was he in front of you or behind you, or off to the side, or where was he?

Mrs. TICE. I was standing about like this, and they were standing there, but I was being nosey and listening.

Mr. GRIFFIN. In other words, this man was off to the side 4 or 5 feet distant from you, the distance from you to me?

Mrs. TICE. This man that I say was Jack Ruby was about 3 feet from me, I guess, about as far as you are from me.

Mr. GRIFFIN. You could only see the side of his face, I take it?

Mrs. TICE. Jack Ruby's?

Mr. GRIFFIN. Yes.

Mrs. TICE. No; I only saw—I could only see the side of this other man's face that walked up to him. Jack was standing right here, see, this man that is called Jack. He was standing here like this, and I am standing here.

Mr. GRIFFIN. We will have to indicate.

Mrs. TICE. He turned around when this man walked up here and hit him on the shoulder and said, "How are you doing, Jack?"

Mr. GRIFFIN. Jack Ruby was ahead of you and initially had his back to you, is that right?

Mrs. TICE. No; he wasn't up ahead of me. He was more or less to the side.

Mr. GRIFFIN. As you looked over, when did you first notice him, when the man said hello to Jack?

Mrs. TICE. When I first noticed him was when this man walked up to him, because I thought this was a detective or something, because he had a suitcase.

Mr. GRIFFIN. Was he standing in a crowd of people?

Mrs. TICE. Well, there was a, like I said, this lady that I turned around and asked this, and people were coming and going.

Mr. GRIFFIN. How far were you from the main entrance of Parkland Hospital? Which entrance of the hospital were you near?

Mrs. TICE. Down where you come off of Harry Hines. You come off here, and then there is a paved parking thing.

Mr. GRIFFIN. Why don't you draw a picture for us. Why don't you take this yellow sheet of paper and why don't you draw Harry Hines Boulevard?

Mrs. TICE. OK; this is Harry Hines Boulevard, and right in here, this is where the gate thing goes along. You pay to go in here and park. I guess it's got gate.

Mr. GRIFFIN. Mrs. Tice, we are trying, the reporter is trying to take your words down and they don't mean very much if you just talk about this and that. I suggest that you draw on this sheet of paper, draw the hospital and draw Harry Hines Boulevard, and then draw some more lines to indicate where you were standing. Can you do that?

Mrs. TICE. I don't know too much how the hospital looks over there. As I came down this way, that is what I am trying to tell you—this is Harry Hines.

Mr. GRIFFIN. You have drawn a line that you call Harry Hines Boulevard.

Mrs. TICE. OK; then you go in here, and there is a pay-parking thing.

Mr. GRIFFIN. Where is the hospital?

Mrs. TICE. The hospital is right here. Right down here is the emergency entrance.

Mr. GRIFFIN. Where is the main entrance, do you know that?

Mrs. TICE. I guess that was the main entrance up there.

Mr. GRIFFIN. OK.

Mrs. TICE. But this is way I came.

Mr. GRIFFIN. There is a road that comes off Harry Hines Boulevard? What direction is that from the hospital?

Mrs. TICE. There is a little hill that goes down here, and just before you go through this emergency place, I guess that is an emergency place, there is a lawn here, and this is where this bar is for the grass. But there is another parking lot behind this pay thing, I guess. I thought it was a pay thing, something left out of here, and I pulled in this other one and parked in the second or third space.

Mr. GRIFFIN. You were in a parking lot that was between the emergency entrance to the hospital and Harry Hines Boulevard, is that right? You pulled into a parking lot that was between Harry Hines Boulevard and the emergency entrance of the hospital, is that right?

Mrs. TICE. I don't know how many places there is to park there, but this first place was the one I got in, and I didn't pay to get in here.

Mr. GRIFFIN. You went into a free parking space?

Mrs. TICE. Yes.

Mr. GRIFFIN. And you parked your car?

Mrs. TICE. I parked my car.

Mr. GRIFFIN. Then where did you walk to?

Mrs. TICE. Then I came back out here and I walked down here.

Mr. GRIFFIN. So that you were standing in the oval in front of the emergency entrance, is that right?

Mrs. TICE. I was standing right here by this fence.

Mr. GRIFFIN. The metal fence that separates the——

Mrs. TICE. This right here is where the police cars park and stuff. No; that is over to the other side because that goes all the way around.

Mr. GRIFFIN. You are going to have to explain it in words, because the lady can't take this down. She can't understand what we are talking about.

Mrs. TICE. Well, all right. Right down here is this circle where you go down into the emergency entrance, and this little bar here, it goes across here where this grass is, and where I was standing was right here on this grass, right here [pointing].

Mr. GRIFFIN. Will you mark an X where you were standing?

Mrs. TICE. This is me. And these other people were here, and this is where Jack was standing, about 2 foot on this side of this fence.

Mr. GRIFFIN. I see. Were you facing toward the emergency entrance, or which direction were you facing?

Mrs. TICE. We were looking down there to see what was happening.

Mr. GRIFFIN. So Jack actually was a little bit in front of you?

Mrs. TICE. Yes; I guess.

Mr. GRIFFIN. Would you put an R where Ruby was?

(Mrs. Tice marks.)

Mr. GRIFFIN. Now, a man walked up to him and tapped him on the shoulder?

Mrs. TICE. The man came right down this way, over this way and slapped him on the shoulder and asked him how he was doing.

Mr. GRIFFIN. And at that point Jack turned around?

Mrs. TICE. At that point Jack turned around and started talking to him. At the time, he was facing right toward me.

Mr. GRIFFIN. Where was the other man? Was he standing between you and Jack?

Mrs. TICE. No; the other man was standing right here, and Jack was standing here, because he turned around to see who slapped him on the shoulder.

Mr. GRIFFIN. I am going to mark this with an R for Ruby, and I am going to put W for Wilma, and I am going to leave the M you put there for the other man.

Mrs. TICE. OK.

Mr. GRIFFIN. When was the next time you thought about this incident?

Mrs. TICE. I didn't think about it any more.

Mr. GRIFFIN. Well, the next time you thought about it, of course, was whenever the children said that was when Oswald got shot?

Mrs. TICE. That is the next time I thought about it. I mean, other than just what I hear on the news, and I got tired of hearing it.

Mr. GRIFFIN. Did you tell your husband?

Mrs. TICE. That I went down there; no.

Mr. GRIFFIN. Did you tell anybody else that you had been there and seen that man, seen Jack Ruby?

Mrs. TICE. Yes; I talked to Eva about it.

Mr. GRIFFIN. Did you talk to any of your friends about it?

Mrs. TICE. I don't think so; no. I don't think I did, because I wouldn't want my husband to get hold of me being out there. I guess I made mention to somebody about him wanting to give somebody a kidney, him wanting to give Governor Connally, one day, and then going up and killing somebody.

Mr. GRIFFIN. Do you remember who you told that to?

Mrs. TICE. No.

Mr. GRIFFIN. Do you have anything else that you would like to tell us about this?

Mrs. TICE. Well, except whenever I turned, well, this Ruby went on down this way, and this man here, when this man walked away, and this one here went on down toward this curb here, then I turned around and I looked at my watch and I left, because my children were coming home from school.

Mr. GRIFFIN. You left shortly after you saw this man, this Ruby man?

Mrs. TICE. I was home at 3 o'clock.

Mr. GRIFFIN. How long a time elapsed between the time you saw Ruby and when you left the hospital?

Mrs. TICE. I don't know, but it takes me approximately 15 minutes.

Mr. GRIFFIN. As soon as that man left, Ruby, did you go home?

Mrs. TICE. I just moseyed. I didn't take off at a running hop or anything, but I kept looking and I didn't see nothing.

Mr. GRIFFIN. Did you wait as long as an hour after you saw Ruby before you left?

Mrs. TICE. No.

Mr. GRIFFIN. As long as a half-hour?

Mrs. TICE. No; whenever I started to get out, there was cars coming in there, and I guess it probably took me 5 minutes to get out of that parking lot, by the time I walked back up to here and got back in the car.

Mr. GRIFFIN. What is your best estimate of when you got home?

Mrs. TICE. Well, the children got home from school at 3 o'clock or 2:45. They get out 10 minutes till 3. I was home at 3 o'clock; I was home when the children got there. Well, it may have been 5 or 10 minutes after 3, because I was there before the children came in.

Mr. GRIFFIN. How long were you there before the children arrived?

Mrs. TICE. I just got there, but I was home.

Mr. GRIFFIN. I am going to mark this diagram which you have drawn here—I am going to put this emergency entrance up where you have indicated it was, and I am going to mark this "Wilma Tice Deposition, July 24, 1964, Exhibit No. 1".

Mrs. TICE. Well, now, you know Eva told me she says, "Well, but Wilma, you could be mistaken, because you know people look different on television than they do in person." I said, "Yes, I realize that is true."

Mr. GRIFFIN. You think you might be mistaken, or don't you?

Mrs. TICE. No; I said I thought it was either him or his twin brother.

Mr. GRIFFIN. You still feel that way?

Mrs. TICE. I still feel that way.

Mr. GRIFFIN. But you have only seen him on television?

Mrs. TICE. That's right, and that time out there is the only time I have ever seen him.

Mr. GRIFFIN. How about pictures in the newspaper, do they look the same as what you remember the man looked like at Parkland Hospital?

Mrs. TICE. They didn't look as much like him as the one that Eva or Eileen brought to the house and showed to me. I mean, looked more like him.

Mr. GRIFFIN. Now, Mrs. Tice, I only ask you if you will sign this exhibit with your signature.

(Mrs. Tice signs.)

Mr. GRIFFIN. I want to ask one other question. That is, there was a newspaper report that you received a threat of some sort before you came here. Do you know anything about that?

Mrs. TICE. Do I know anything about it?

Mr. GRIFFIN. Yes; did you receive a threat before coming here?

Mrs. TICE. Well, I don't know if it was a threat or I don't know now—I don't know what you are talking about. Are you talking about when I was barricaded in the house?

Mr. GRIFFIN. No; I don't know about that. I was just informed by somebody here in this U.S. attorney's office that one of the daily newspapers here had carried an article that you had been threatened. Do you know anything about that?

Mrs. TICE. They said that I had been threatened, but what the paper said is not what—I got a telephone call, and some man told me on the telephone that it would pay me to keep my mouth shut.

Mr. GRIFFIN. Did you recognize the voice on the telephone?

Mrs. TICE. I never heard that voice before in my life, that I know of.

Mr. GRIFFIN. At the time you got that telephone call, did your husband know that you were supposed to come to testify?

Mrs. TICE. Yes; he knew I got this letter Sunday. He was coming home with the children. He went down to pick up the children at Sunday School and

brought them home and was just coming in whenever I signed for the letter, and the postman handed me the letter when he walked up to the door.

Mr. GRIFFIN. When did you receive the telephone call?

Mrs. TICE. Well, now, I think it was Monday or Tuesday; but I have been so confused because I was up all day and all that night and the next day, and some of the FBI and some of the police said it was Wednesday, but I believe it was Monday.

Mr. GRIFFIN. Did your husband, when you got that letter from the President's Commission, ask you why you were supposed to testify?

Mrs. TICE. Yes; he did.

Mr. GRIFFIN. Did you tell him?

Mrs. TICE. No; he accused me of having worked for Jack Ruby at one time. He says, "I know you have known him before. You probably worked for him before you and I were married." And he is so unreasonable, and he is just—my husband is kind of jealous, and you can't hardly talk to him. So I just figured, well, I wouldn't say anything to him, because he just goes into a rage.

Mr. GRIFFIN. Well, I don't have any other questions of you and I appreciate your coming here. I don't know whether you have anything more that you would want to add. I think you probably told us everything there is to tell us.

Mrs. TICE. Well, that is all I know. And as far as the phone calls, the rest of them didn't say anything. They just hung up.

Mr. GRIFFIN. Did you get more than one phone call?

Mrs. TICE. Yes, sir; I got several phone calls that were just—whenever I wouldn't answer the phone any more, and our little niece had been there, and she is 14 and I would tell her to answer the telephone, and she answered the telephone, and they would hang up.

Mr. GRIFFIN. Well, I want to thank you again very much for coming. I hope we haven't inconvenienced you any further.

TESTIMONY OF WANDA YVONNE HELMICK

The testimony of Wanda Yvonne Helmick was taken at 4 p.m., on July 24, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Burt W. Griffin, assistant counsel of the President's Commission.

Mr. GRIFFIN. Let me introduce myself again. I am Burt Griffin, and I am a member of the general counsel's staff of the President's Commission on the Assassination of President Kennedy.

It is our practice to have a few preliminaries here in which I explain to you what the Commission is all about, and what we are going to do. Then we will administer the oath and I will talk to you.

This President's Commission, as you probably know, was set up in November 1963, as a result of an Executive order of President Johnson and the joint resolution of Congress, and under these two official acts, we have been directed to investigate and to evaluate and report back to President Johnson on all the facts that relate to the assassination of President Kennedy and the death of Lee Oswald.

We have asked you to come here today because I understand you have some information that might pertain to Jack Ruby.

Now, under the rules and regulations of the Commission, I have been designated to take your testimony, and I might tell you that the rules do provide that before you are asked to testify, you shall receive 3 days' notice in writing in advance before you come here.

I will ask you right now if you received a letter from us and when you did receive it.

Mrs. HELMICK. I received it yesterday.

Mr. GRIFFIN. Then we haven't complied. Well, let me ask you if you are willing to go ahead and give us your testimony without having had the 3 days' written notice?

Mrs. HELMICK. Yes.

Mr. GRIFFIN. Thank you. Do you have any questions that you want to ask me before I ask you questions?

Mrs. HELMICK. No.

Mr. GRIFFIN. Would you raise your right hand and I will administer the oath to you.

Do you solemnly swear that the testimony you are about to give, will be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. HELMICK. I do.

Mr. GRIFFIN. Would you give us your name, please?

Mrs. HELMICK. Wanda Yvonne Helmick, or Wanda Sweat Helmick.

Mr. GRIFFIN. Where do you live now?

Mrs. HELMICK. 902 Bagley, Apartment 3.

Mr. GRIFFIN. Where is that located in Dallas?

Mrs. HELMICK. In Arcadia Park in Dallas.

Mr. GRIFFIN. Is it Mrs. or Miss?

Mrs. HELMICK. Mrs.

Mr. GRIFFIN. When were you born, Mrs. Helmick?

Mrs. HELMICK. March 16, 1945.

Mr. GRIFFIN. Were you working for a man named Ralph Paul?

Mrs. HELMICK. Yes.

Mr. GRIFFIN. Back in November of 1963?

Mrs. HELMICK. Yes.

Mr. GRIFFIN. When did you begin to work for Mr. Paul?

Mrs. HELMICK. I believe it was in November that I started to work for him. I don't remember the exact day.

Mr. GRIFFIN. How long did you work for him altogether?

Mrs. HELMICK. I was employed with him for 3 weeks.

Mr. GRIFFIN. When did you leave his employment?

Mrs. HELMICK. I don't know.

Mr. GRIFFIN. What was your job?

Mrs. HELMICK. Carhop.

Mr. GRIFFIN. What hours did you work?

Mrs. HELMICK. I worked from 10 till 6, I think, or from 10 to 5.

Mr. GRIFFIN. 10 in the morning till 5 at night?

Mrs. HELMICK. Yes.

Mr. GRIFFIN. Was this every day of the week?

Mrs. HELMICK. I had one day off. I don't remember which one it was.

Mr. GRIFFIN. I mean, did you always work those hours or did you ever work in the evening?

Mrs. HELMICK. I always worked those hours.

Mr. GRIFFIN. Now, you have talked to the FBI and have indicated that you overheard a telephone conversation that you believed took place between Jack Ruby and Ralph Paul?

Mrs. HELMICK. Yes.

Mr. GRIFFIN. When was it that you heard that telephone conversation?

Mrs. HELMICK. It was the night before Oswald was shot.

Mr. GRIFFIN. The night before?

Mrs. HELMICK. Yes.

Mr. GRIFFIN. What time of day or night would that have been?

Mrs. HELMICK. Well, I believe it was around 8 or 9 o'clock. I am not for sure what time it was. My husband, he wasn't supposed to pick me up. Another girl was supposed to pick up and take me over to her house so he would pick me up, but she didn't show up, and he came after me about 9 o'clock, I guess it was. Rather late at night, I know that much. And this conversation took place after dark. I don't know what time it was.

Mr. GRIFFIN. Were you working at that time?

Mrs. HELMICK. No; I was off of work. I had been off work about 3 or 4 hours.

Mr. GRIFFIN. Where were you sitting at the time you heard this telephone conversation?

Mrs. HELMICK. In the front booth.

Mr. GRIFFIN. Was this at the Bull Pen Drive-In?

Mrs. HELMICK. Yes.

Mr. GRIFFIN. I want to ask you to take a pencil here and a piece of paper and draw us a diagram of the inside of that Bull Pen Drive-In and show us on the diagram where you were seated and where the telephone was and so forth.

Mrs. HELMICK (drawing). This is where the booth was.

Mr. GRIFFIN. First of all, what have you drawn on there?

Mrs. HELMICK. This is where the telephone is.

Mr. GRIFFIN. Where is the room? Would you draw the outline of the whole room first? Where are the walls of the room?

Mrs. HELMICK. This is the walls and then there is a little something that blocks between two rooms.

Mr. GRIFFIN. A partition of some sort?

Mrs. HELMICK. Yes; a partition. And the booths are sitting next to it like this.

Mr. GRIFFIN. Is there a door to this room?

Mrs. HELMICK. No. There is a door coming into the whole thing from the front.

Mr. GRIFFIN. Where is the door? Do you want to mark the door in there?

Mrs. HELMICK. This is the door. This opens into, and it opens onto the place where you pay as you go out.

Mr. GRIFFIN. The counter? Cashier? Where is the cashier?

Mrs. HELMICK. The cashier stands in behind this.

Mr. GRIFFIN. Do you want to write cashier in there?

Mrs. HELMICK. (Writes).

Mr. GRIFFIN. Now up in the upper left-hand corner of this diagram you have drawn a rectangle and you have written the words telephone and cashier. It is rectangular, some sort of enclosed area?

Mrs. HELMICK. Yes; it is.

Mr. GRIFFIN. How do you get back into that enclosed area?

Mrs. HELMICK. There is a little open door like thing. It doesn't have a door in front of it. It is just an opening that you can walk behind the counter where all the trays sit for the carhops and everything.

Mr. GRIFFIN. Where is that located? Can you mark it on the diagram?

Mrs. HELMICK. (Marks).

Mr. GRIFFIN. Now, is the telephone that you have marked on there, which is behind the enclosed area, is that a public telephone, or a pay telephone?

Mrs. HELMICK. It is a pay telephone.

Mr. GRIFFIN. Are there any other telephones in there?

Mrs. HELMICK. No; there is not any other telephones there. I suppose that this booth is about anywhere from 3 to 6 feet away from the telephone.

Mr. GRIFFIN. You were seated in the booth?

Mrs. HELMICK. I was seated sitting in the first seat.

Mr. GRIFFIN. You want to mark yourself there? Put an "X" there where you were seated.

Mrs. HELMICK. Right here.

Mr. GRIFFIN. Was anybody sitting there with you?

Mrs. HELMICK. There was people sitting there. Rose and a man I can't remember who was sitting beside me, and I believe Toyo.

Mr. GRIFFIN. First of all, what is Rose's last name?

Mrs. HELMICK. I don't know.

Mr. GRIFFIN. Did she work at the drive-in?

Mrs. HELMICK. She has been working there for about 7 years before I came.

Mr. GRIFFIN. Is she still working there to your knowledge?

Mrs. HELMICK. The last time I was there, which was about 6 months ago, she was still there.

Mr. GRIFFIN. Do you know where she lives?

Mrs. HELMICK. No.

Mr. GRIFFIN. And there was somebody that you called Toyo?

Mrs. HELMICK. She was a Japanese woman.

Mr. GRIFFIN. Is she still working there?

Mrs. HELMICK. To my knowledge, she is.

Mr. GRIFFIN. Was that her first name or her last name?

Mrs. HELMICK. That was her first name.

Mr. GRIFFIN. Do you know what her last name was?

Mrs. HELMICK. I don't have no idea. It was an American name. I know where she lives.

Mr. GRIFFIN. Where does she live?

Mrs. HELMICK. I believe it is 19th Street. Let's see, it's behind Taylor Super Market in Grand Prairie.

Mr. GRIFFIN. Grand Prairie?

Mrs. HELMICK. Yes.

Mr. GRIFFIN. Was the cashier present at that time?

Mrs. HELMICK. Yes.

Mr. GRIFFIN. Who was the cashier?

Mrs. HELMICK. She was Rose.

Mr. GRIFFIN. Now, what happened? Will you tell us what happened?

Mrs. HELMICK. Well, we were sitting there gossiping about something, I don't remember what, but we was teasing or aggravating Johnnie—well, Paul you call him.

Mr. GRIFFIN. Was Ralph Paul sitting there at the booth with you?

Mrs. HELMICK. No, he was behind the counter, and Rose got up and went back there to do something, and she started talking to him, and the telephone rang, and she said, "It is for you. It is Jack."

So he took the phone and he had been talking quite a while, and he said something. He either said, "Are you crazy? A gun?" or something like that, or he said something about a gun.

Then he said, "Are you crazy?" But he did say something about a gun, and he asked him if he was crazy.

Mr. GRIFFIN. How long did he talk on this telephone call?

Mrs. HELMICK. He just talked for about 5 minutes, I guess. It wasn't very long.

Mr. GRIFFIN. Did you hear anything else that was said in the telephone conversation?

Mrs. HELMICK. He said something about either he had a date with Tammi or Jack had a date with Tammi, and Jack wanted to talk to Ralph, and that is all I know.

Mr. GRIFFIN. Now, after you heard that conversation, did you talk with any of the other employees about that?

Mrs. HELMICK. No.

Mr. GRIFFIN. Do you know if any of the other people who were seated in that booth also heard that conversation?

Mrs. HELMICK. They were sitting close enough to hear it, and there wasn't anything else being said at the time, because after Rose got up and went over to talk to Johnny, we didn't talk very much, and it was real quiet after she left. Nobody was saying anything.

Mr. GRIFFIN. What did Ralph do after receiving that telephone call?

Mrs. HELMICK. Well, it wasn't very long, I guess 15 or 20 minutes until he left.

Mr. GRIFFIN. Did he tell you why he left?

Mrs. HELMICK. No. He told Rose, but he didn't tell us.

Mr. GRIFFIN. Did you hear him tell Rose? Did you see him talking to Rose?

Mrs. HELMICK. He said, "I will see you tomorrow." That is all I heard. He said that in sort of a loud voice, but other than that, he was talking sort of low.

Mr. GRIFFIN. How long had you talked with Ralph that evening?

Mrs. HELMICK. Well, I hadn't really talked to Ralph that evening. He just told me, well, that morning he told me where everything was, and other than that, I didn't talk to him.

Mr. GRIFFIN. But you said you had been sitting at the booth talking to him.

Mrs. HELMICK. Rose and Bonnie and Toyo and this man, he is a tall man, I

don't remember his name, but they were all teasing him, and I didn't know him that well.

Mr. GRIFFIN. Were you sitting there or listening to the conversation?

Mrs. HELMICK. I was listening to them.

Mr. GRIFFIN. Was there anything about Ralph that indicated that he was ill or wasn't feeling well?

Mrs. HELMICK. No. There was nothing said that made him sound ill.

Mr. GRIFFIN. How long did you work at the Bull Pen Drive-In after this telephone call on Saturday night?

Mrs. HELMICK. I worked until about a week after Thanksgiving.

Mr. GRIFFIN. Did you hear any conversation around the Bull Pen which would indicate that anybody had any advance information that Jack might do what he did?

Mrs. HELMICK. Now the next day after we had heard it on the radio, he was popping off about this telephone call that he had that night, and he told us that he talked to Jack and that they had talked about a gun, and that he had it in a dresser drawer or something like that, and that he didn't tell what he was going to do with it.

I don't even know that he told Ralph what he was going to do with it.

I don't even know that he told Ralph what he was going to do with it.
[Repeating.]

Mr. GRIFFIN. When you refer to "he had it in the drawer," you mean Jack Ruby?

Mrs. HELMICK. Yes. But he was telling us again what I had overheard over the telephone about the gun and about out with one or the other.

And he said that he had told Jack that he was either crazy, or something like that, that he didn't know what he was doing.

Mr. GRIFFIN. Who was present during this conversation on Sunday?

Mrs. HELMICK. Everybody that worked for him was gathered around there on the other side of this object that I have drawn where the cashier stands. We were all standing around in a huddle, and John was standing on one side of the counter, and we were all on the other.

Mr. GRIFFIN. When you refer to Johnny, do you mean Ralph Paul?

Mrs. HELMICK. Yes.

Mr. GRIFFIN. Can you name the other employees who were there?

Mrs. HELMICK. It was Rose. I don't know their last names. It was Rose and Bonnie, and a boy named Joe and this tall man, and I don't remember his name, and Curly. This is an old man that works there.

Mr. GRIFFIN. Are all those people still employed there?

Mrs. HELMICK. As far as I know.

Mr. GRIFFIN. How did you happen to leave your job there?

Mrs. HELMICK. I was sick for a week, and my baby was sick for a week, and whenever I got sick, I was off for about a week and 3 days, I guess, and whenever I went back after my job, he told me I couldn't have it, that he had hired someone else.

Mr. GRIFFIN. Had you had a fight with Ralph?

Mrs. HELMICK. No, I hadn't.

Mr. GRIFFIN. Had you known Ralph Paul before then?

Mrs. HELMICK. No.

Mr. GRIFFIN. How did you happen to get your job there?

Mrs. HELMICK. He called me on the telephone.

Mr. GRIFFIN. How did he happen to get your name?

Mrs. HELMICK. I went down there after I quit another job at Pal's Drive-In in Arlington, I went down there and asked about a job, and he called me about 3 days later.

Mr. GRIFFIN. Had he made any advances toward you?

Mrs. HELMICK. No.

Mr. GRIFFIN. You had never had anything but a business relationship with him?

Mrs. HELMICK. That is all. I must have not got too well acquainted with him. I didn't talk to him because I didn't understand him. He didn't talk like

you. He was Jew or something and I couldn't understand him, so I just didn't talk to him.

Mr. GRIFFIN. Did you feel any hostility toward him?

Mrs. HELMICK. No, I felt he had it toward me. He made me feel that way.

Mr. GRIFFIN. When did you first begin to get that impression?

Mrs. HELMICK. The first day I started working for him.

Mr. GRIFFIN. What time of the day was the conversation on Sunday that you overheard?

Mrs. HELMICK. It was before Oswald died. It was about 20 minutes, I guess, after he was shot, because everybody else already knew it, and they was calling Ralph and telling him about it.

As soon as he found out about it, he called Tammi on the telephone, and Tammi came down and they left together.

Mr. GRIFFIN. Was there any indication from Tammi that she had seen Jack the night before?

Mrs. HELMICK. I don't remember. I can't remember if Ralph had said that "I saw Tammi the day before", or not, but he told us that, I believe he told us that he saw Jack that night.

Mr. GRIFFIN. I understand that your recollection is that on Sunday he told you that he had seen Jack on Saturday night?

Mrs. HELMICK. I believe he did. I don't remember. It's been too long ago.

Mr. GRIFFIN. Who have you told this story to besides the FBI and people here in this room?

Mrs. HELMICK. I told it to my husband the day that it happened. He was there. As soon as I got the gossip I went and told him. That is all it was to me.

Mr. GRIFFIN. Did you tell anybody else that you recall?

Mrs. HELMICK. I told my whole family about the telephone call and about what happened over there, and I guess everyone knew it.

Mr. GRIFFIN. Did you tell any of your friends?

Mrs. HELMICK. If we got to talking about the subject, I did.

Mr. GRIFFIN. Do you remember any particular girl friends that you might have told it to?

Mrs. HELMICK. Girl friend?

Mr. GRIFFIN. Or boy friends?

Mrs. HELMICK. I was talking to Joyce Bradley. I was talking to her yesterday on the telephone and told her about the letter that you all had sent me, and told her what I just told you.

Mr. GRIFFIN. But I mean shortly after this happened.

Mrs. HELMICK. Oh, well, my family, and I guess, well, I wrote to Don's relatives in Baltimore, Md., right after it happened and I told them I worked for him, and told them what was going on down here on TV and everything.

Mr. GRIFFIN. Did you tell them about this conversation that you overheard?

Mrs. HELMICK. Yes.

Mr. GRIFFIN. What is the name of that relative?

Mrs. HELMICK. Let's see, Rosemary Helmick.

Mr. GRIFFIN. Where does she live?

Mrs. HELMICK. In Baltimore, Md.

Mr. GRIFFIN. Do you have her address?

Mrs. HELMICK. I don't have it now, but at the time I wrote her, it was 4116 Dartford.

Mr. GRIFFIN. Has she moved since then?

Mrs. HELMICK. Yes.

Mr. GRIFFIN. How many times have you been interviewed by the FBI?

Mrs. HELMICK. Twice.

Mr. GRIFFIN. The second time, did they ask you these questions that I have just been asking you about who else you told?

Mrs. HELMICK. Yes, but I don't think I told them about me writing the letter, or I don't remember what I told them. I mean I have been so nervous and everything.

Mr. GRIFFIN. Why didn't you report this to the police or to the Federal authorities shortly after you heard about it?

Mrs. HELMICK. I didn't think it was anything.

Mr. GRIFFIN. Well, you certainly must have thought it was something. You told your husband.

Mrs. HELMICK. No, I didn't tell him. I thought it was something, I just thought it was gossip, so I gossiped. They went down and talked to the police the day that Jack Ruby got arrested, so I didn't think it was anything.

I thought surely that they would tell them, so what was the use of me telling them?

Mr. GRIFFIN. Well, you knew that now when you followed the Ruby trial, you knew that none of this came out in the Ruby trial?

Mrs. HELMICK. I didn't follow the Ruby trial. My TV has been broke. Well, it is not really broke but the antenna is messed up on it, and I haven't had a good TV antenna in 2 or 3 months.

Mr. GRIFFIN. How about in the newspapers, didn't you follow the newspapers?

Mrs. HELMICK. No, I don't take a newspaper. But Ralph Paul wasn't brought out in any of this.

Mr. GRIFFIN. How do you know that?

Mrs. HELMICK. I just know that he wasn't because I never heard his name mentioned by anybody else. I mean, I got the gossip. But right after the trial, I guess I don't know when the trial was, but the FBI soon found me.

Mr. GRIFFIN. They didn't find you until sometime in June, did they?

Mrs. HELMICK. I don't know, but these people that I worked for, they was trying to keep everything so much of a secret, and I didn't see anything wrong with what they had said. I mean, they was trying to keep Ralph Paul hid sort of.

Mr. GRIFFIN. What efforts were they making to hide it, as you say?

Mrs. HELMICK. Well, whenever the newspaper would call on the telephone, they would say that he doesn't own this place any more, or he isn't here any more. Even if he was there, they would say he wasn't there.

Mr. GRIFFIN. Was that the same day that Oswald was shot, or was that later on?

Mrs. HELMICK. I believe it was that afternoon.

Mr. GRIFFIN. Is there a fellow by the name of Jackson that works there?

Mrs. HELMICK. Jackson, I believe that was that tall fellow's name that I mentioned.

Mr. GRIFFIN. Is that the fellow that Ralph Paul lived with?

Mrs. HELMICK. I don't know. I didn't know he lived with anyone.

Mr. GRIFFIN. Was he living with Tammi?

Mrs. HELMICK. I didn't know he lived with anyone at all.

Mr. GRIFFIN. Was there anybody in that—how many waitresses did he have? Carhops and so forth?

Mrs. HELMICK. Carhops, there was me and Toyo, and 4 waitresses—this is during the daytime?

Mr. GRIFFIN. Yes.

Mrs. HELMICK. There was Bonnie and Rose.

Mr. GRIFFIN. Who did he have in the evening?

Mrs. HELMICK. I believe his name was Joe, and his wife was working nights. She had just started right after I started to work there. I don't remember if there was anybody else working there as a waitress, but there was a girl named Joe, a tall blond-headed girl, and a girl had just gotten out of the hospital and was coming back to work about three or four nights after I was working there. I can't remember her name, but we all chipped in to buy her something, some kind of gift. It was a nightgown. And she started to work there again after I did, but I don't remember her name. But I would recognize all them people if I saw them again.

Mr. GRIFFIN. Have you thought of anything else that might be helpful to us in this regard?

Mrs. HELMICK. Now I may not know anything that would help you, but surely I am not the only one that heard this. I know that I am not, and Rose and everybody that was standing around there at that counter hearing Ralph talk, they all know what I have just said. But whether they heard the conversation on the telephone that night, if they did, I don't know. They wouldn't tell me but I didn't ask any of them. But they never did say. Them people were quiet.

They kept everything to themselves. The reason I didn't call anybody, I was afraid to get involved, really. And I didn't know that I could be of help to anybody.

Mr. GRIFFIN. Has anybody suggested to you that you shouldn't get involved?

Mrs. HELMICK. No one ever suggested anything; because I didn't believe that it was—I mean I figured that they would find it out sooner or later, and I didn't figure that it was anything that anybody was hiding. I mean, I wasn't hiding it.

Mr. GRIFFIN. Do you know what significance that telephone conversation has?

Mrs. HELMICK. I don't know that it has any bearing on the case at all.

Mr. GRIFFIN. Why did you remember it then?

Mrs. HELMICK. Because of the gun, and after Oswald had been shot the next day, I knew that it was bound to have something to do with it.

Mr. GRIFFIN. What do you think it has to do with it?

Mrs. HELMICK. I don't know. My own opinion has nothing to do with this, I don't think.

Mr. GRIFFIN. You think the conversation about the gun didn't have anything to do with the shooting of Oswald? Is that what you are saying?

Mrs. HELMICK. It was the same gun that they were talking about.

Mr. GRIFFIN. How do you know that?

Mrs. HELMICK. Because Ralph told us the next day that it was.

Mr. GRIFFIN. What do you think that has to do with the shooting of Oswald?

Mrs. HELMICK. I don't know that he told him that he was going to shoot Oswald or not, but I do know that he told him about the gun.

Mr. GRIFFIN. You must certainly think that he might have been telling him that he was going to shoot Oswald? That is the reason he was talking about the gun?

Mrs. HELMICK. I don't know what I thought. I mean, I didn't give it too much thought. I didn't give anything much thought about it then. I have thought a lot since.

Mr. GRIFFIN. What have you thought about it since?

Mrs. HELMICK. Well, in my own mind, I believe that he told Ralph Paul that he was going to shoot Oswald. But if he did, Ralph didn't tell none of us that he did. At least I don't think he did. I don't remember.

Mr. GRIFFIN. Well, I certainly appreciate your coming here and helping us on this.

Mrs. HELMICK. I have thought a lot on it, but I just can't remember. It's just been too long ago. If someone had suggested me calling the police or FBI or something right away, I would have. I mean I didn't have nothing to hide. I wasn't trying to hide from them, but I just never thought of it. It didn't even enter my mind, and I would have remembered a lot more then, I guess, if there was anything to remember. But it's just been too long ago.

Mr. GRIFFIN. Well, it's been very good of you to help us even at this point, and we are very grateful to you. I have no more questions, unless you can think of something else that you might want to add.

Mrs. HELMICK. You want to keep this?

Mr. GRIFFIN. Let me mark this.

Mrs. HELMICK. I marked it all up.

Mr. GRIFFIN. I am going to mark this diagram.

Mrs. HELMICK. You want me to tell you what all this is?

Mr. GRIFFIN. Well, let me mark the diagram. I thought we had an explanation of it, but I am going to mark the diagram that you have drawn "Wanda Helmick, Deposition July 24, 1964, Exhibit No. 1."

Where are you a native of? Are you a native of Dallas?

Mrs. HELMICK. No.

Mr. GRIFFIN. Are you a native of Texas?

Mrs. HELMICK. Yes.

Mr. GRIFFIN. Whereabouts?

Mrs. HELMICK. Commerce.

Mr. GRIFFIN. I don't know where that is. Do you want to explain to us this diagram?

Mrs. HELMICK. This little line here in zigzag—

Mr. GRIFFIN. The light wavy line that you have drawn at the bottom of the page?

Mrs. HELMICK. This is tables back in here where there is extra customers for dinner hours, and these booths are just used—

Mr. GRIFFIN. Where do people park their cars in this drive-in?

Mrs. HELMICK. I haven't got it drawn in on here, but it is back this way [indicating].

Mr. GRIFFIN. Would you mark on the other side of the wavy line the garage or parking area? Would that be proper?

Mrs. HELMICK. There is places [marking].

Mr. GRIFFIN. Where would the wall of the building be in the front?

Mrs. HELMICK. Right along in here.

Mr. GRIFFIN. Do you want to indicate that with a heavy black line. Do you want to write "wall" on it?

Mrs. HELMICK. OK; this is the wall.

Mr. GRIFFIN. Is there a walkway up?

Mrs. HELMICK. Yes; there is not no walkway. There is just bars out there to stop the cars from running into the building. But there is a parking area all the way around the building for carhops. I have wrote "car parking" where the carhops just service the cars. But there is a place for them to park all the way around the building. There is mirrors outside in front for the carhops to see from the booths.

Mr. GRIFFIN. Would you want to mark that this is a booth where you put your X?

(Mrs. Helmick marks.)

Mr. GRIFFIN. Would you want to mark in the area where the tables are? Write the word "tables" where it was you said the tables were.

Mrs. HELMICK. Oh, these?

Mr. GRIFFIN. Yes.

(Mrs. Helmick writes.)

Mr. GRIFFIN. Now, if that is a reasonably accurate diagram of what we were talking about, I will ask you to sign it. If you think there is anything more to put on it, go ahead and do it.

Mrs. HELMICK. I don't know.

Mr. GRIFFIN. Why don't you sign it with the pen I gave you there?

Mrs. HELMICK (signing). It is not a very good diagram.

Mr. GRIFFIN. But you think it is accurate enough for the purpose of what you have explained to us?

Mrs. HELMICK. Yes.

Mr. GRIFFIN. I will ask you one more question. How many telephones were at the Bull Pen Drive-in?

Mrs. HELMICK. Just the one pay telephone.

Mr. GRIFFIN. Are you sure that it is a pay telephone?

Mrs. HELMICK. Yes.

Mr. GRIFFIN. Well, thank you very much.

TESTIMONY OF NANCY MONNELL POWELL

The testimony of Nancy Mennell Powell was taken at 11 a.m., on July 25, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Burt W. Griffin, assistant counsel of the President's Commission.

Mr. GRIFFIN. Let me introduce myself first. My name is Burt Griffin, and I am a member of the general counsel's staff of the President's Commission on the Assassination of President Kennedy.

Now, we routinely try to explain to the witnesses before we get into the testimony what we are here for, and a little about the Commission, so I will say to

you at the outset that the Commission was established as a result of an Executive order of President Johnson and a joint resolution of Congress. Under those two official acts the Commission has been directed to investigate into the assassination of President Kennedy and the death of Lee Harvey Oswald, and then to report back to President Johnson all the facts that we are able to determine.

We have asked you to come here today in particular because you had worked for Jack Ruby for a period of time. Maybe it will give us some insight into what kind of a person he was and his activities. Under the rules and regulations that have been established by the Commission, I have been specifically designated to take your testimony. I might tell you that there is a provision in the rules that a witness is entitled to have 3 days' notice in writing before being asked to testify, so I will ask you first of all, have you received a letter from us?

Mrs. POWELL. Yes.

Mr. GRIFFIN. When did you receive it?

Mrs. POWELL. Sunday.

Mr. GRIFFIN. Last Sunday, so there is no problem on the notice there?

Mrs. POWELL. No.

Mr. GRIFFIN. Do you have any questions that you would like to ask me?

Mrs. POWELL. No, sir; not really.

Mr. GRIFFIN. Before I administer the oath to you?

Mrs. POWELL. No; I have been questioned by the FBI three times already.

Mr. GRIFFIN. Only three times?

Mrs. POWELL. That is enough. They were following me around everywhere I went.

Mr. GRIFFIN. Well, if there are any questions that should arise as we proceed with the testimony, you feel free to ask them.

Mrs. POWELL. I will; don't worry.

Mr. GRIFFIN. Will you raise your right hand and let me administer the oath?

Do you solemnly swear that the testimony you are about to give, will be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. POWELL. I do.

Mr. GRIFFIN. What is your full name?

Mrs. POWELL. Nancy Monnell Powell.

Mr. GRIFFIN. How do you spell that?

Mrs. POWELL. M-o-n-n-e-l-l Powell.

Mr. GRIFFIN. You have a professional or stage name that you use?

Mrs. POWELL. Tammi True.

Mr. GRIFFIN. How do you spell that?

Mrs. POWELL. T-a-m-m-i T-r-u-e [spelling].

Mr. GRIFFIN. Where do you live, now, Mrs. Powell?

Mrs. POWELL. I live in Fort Worth.

Mr. GRIFFIN. Is it Miss or Mrs.?

Mrs. POWELL. Mrs.

Mr. GRIFFIN. Where in Fort Worth?

Mrs. POWELL. 1217 Clarence.

Mr. GRIFFIN. Are you living alone, or with your husband?

Mrs. POWELL. No; I am divorced. My grandmother is living with me, and I have two children living with me.

Mr. GRIFFIN. When were you born?

Mrs. POWELL. June the 9th, 1938.

Mr. GRIFFIN. Are you employed presently?

Mrs. POWELL. Yes; I am.

Mr. GRIFFIN. Where are you employed?

Mrs. POWELL. The Islands Club in Oklahoma City.

Mr. GRIFFIN. Is that the I-s-l-a-n-d-s [spelling]?

Mrs. POWELL. Yes.

Mr. GRIFFIN. How long have you been employed there?

Mrs. POWELL. Since Wednesday.

Mr. GRIFFIN. Where were you working before that?

Mrs. POWELL. I wasn't. I have been off for 6 weeks.

Mr. GRIFFIN. How about before that?

Mrs. POWELL. I worked in Oklahoma City at the Dugout Club.

Mr. GRIFFIN. How long do you expect to be at the Islands Club?

Mrs. POWELL. I have a 2 weeks contract, with 2 weeks option.

Mr. GRIFFIN. Is there any place where, if we should want to talk to you again, that we could locate you?

Mrs. POWELL. Well, while I am in the city, I am staying at the Rio Motel in Oklahoma City, but this is my permanent address. I own my home there.

Mr. GRIFFIN. In Fort Worth?

Mrs. POWELL. Yes.

Mr. GRIFFIN. Does your grandmother always know where you can be found?

Mrs. POWELL. Yes.

Mr. GRIFFIN. Would it be easiest to contact you through her, or do you have an agent?

Mrs. POWELL. No; I don't have an agent. I use a lot of different agents.

Mr. GRIFFIN. Now, you worked for Jack Ruby; is that right?

Mrs. POWELL. Yes.

Mr. GRIFFIN. When did you start working for him?

Mrs. POWELL. About 2 years ago, or 2½ years ago.

Mr. GRIFFIN. Can you give us a better estimate of the time? Was it in early 1962, or the summer of 1962, or when?

Mrs. POWELL. Oh, gosh, I have to stop and think. Let's see, it was in the fall. I know it was in the fall. I don't remember. I think it was probably in the, well, it might have been early spring. I think it was in March when I went to work there, and I think it was 1962. I can't remember that. I can't remember dates.

Mr. GRIFFIN. How long did you work for him altogether?

Mrs. POWELL. You mean when I—not counting the times I was gone?

Mr. GRIFFIN. Well, did you work for him steadily after you first went to work for him, or were there times when you didn't work for him?

Mrs. POWELL. I worked steady for about 9 months or a year, and then I went out of town for 2 or 3 months, and then I came back and worked, and went out of town, and came back.

Mr. GRIFFIN. Now, how did you first go to work for him?

Mrs. POWELL. This friend of mine was working over there, and she told me about him.

Mr. GRIFFIN. Who was that?

Mrs. POWELL. Shari Lynn.

Mr. GRIFFIN. Had you worked as a dancer before?

Mrs. POWELL. Yes; but I hadn't been working steady. I had been doing club dates. There is a club in Fort Worth that they have exotics on weekends, and that was all I was doing. I had never worked seven nights a week before, and three shows a night, and she wanted me to go on the road. I am her protege.

Mr. GRIFFIN. What is her real name?

Mrs. POWELL. Kay Garcia.

Mr. GRIFFIN. Does she live in Dallas or Fort Worth area?

Mrs. POWELL. In Dallas.

Mr. GRIFFIN. Where does she live?

Mrs. POWELL. If you hadn't asked me, I could have told you. I am a blank. I know the address and the number and everything. She lives out off Garland Road someplace.

Mr. GRIFFIN. You indicated that you were her protege. Are you still her protege? Or was that back a couple of years?

Mrs. POWELL. I am considered a star now, but that was, it might have been 1961 when I went to work for Jack, because I started in—let me go back and think. I got my divorce in 1960 in May, and I think it was in January or February of 1961 that I started dancing. It was about 6 months after I got my divorce that I first started, and I just worked around Fort Worth for about 7 or 8 months. That would make it 1961.

Mr. GRIFFIN. Are you figuring this as I am going along?

Mrs. POWELL. It is hard to remember, really.

Mr. GRIFFIN. You got your divorce—

Mrs. POWELL. In May of 1960.

Mr. GRIFFIN. Then you didn't start to work as a dancer until about 6 months later; is that right?

Mrs. POWELL. Yes, about 6 months, I believe. I think I started in February. That would be 1961.

Mr. GRIFFIN. You worked around Fort Worth for another 6 or 7 months?

Mrs. POWELL. Yes.

Mr. GRIFFIN. Then, did you go to work for Jack?

Mrs. POWELL. Yes.

Mr. GRIFFIN. So, that still would have made it 1961, perhaps the latter part of 1961?

Mrs. POWELL. No; wait a minute—well, I don't know, seems like I have known him for a hundred years. But what was I telling you—oh, yes; she wanted me to—where was I?

Mr. GRIFFIN. You were telling me about Shari Lynn and your friendship with her and you were her protegee.

Mrs. POWELL. So, she was working for Jack. She has been in business a long time, and she asked him to put me to work, so I could get some experience, 7 nights a week, and I did, and I stayed there. She only wanted me to work there 2 or 3 weeks or something, and I stayed there forever.

Mr. GRIFFIN. Now, how long did you work continuously for Jack before you stopped working for awhile?

Mrs. POWELL. I don't know. I really don't.

Mr. GRIFFIN. Well, from?

Mrs. POWELL. It was a long time. It was, you know, close to a year.

Mr. GRIFFIN. Then where did you work?

Mrs. POWELL. I think I went there in March of whatever year it was, and I didn't go on the road until the next summer.

Mr. GRIFFIN. A year and a half then, almost?

Mrs. POWELL. Yes; because it was in the summer—two summers ago. Not last summer, but the summer before last. I went to Houston, for, I don't know, a few weeks or something.

Mr. GRIFFIN. And came back? Would that have been 1962?

Mr. POWELL. October.

Mr. GRIFFIN. So you would have started working for him in about 1961?

Mrs. POWELL. I guess.

Mr. GRIFFIN. How long were you on the road in the summer of 1962?

Mrs. POWELL. Let's see, I worked down there, I think, 3 weeks in Houston, and then I came back, but I didn't go back to work out there immediately. I was off for awhile. I didn't work any place for awhile and then I went back, but don't ask me when, because I don't know.

Mr. GRIFFIN. When you did go back, which would have been, I presume in the fall of 1962, even later, maybe the winter of 1962?

Mrs. POWELL. Well, I was there New Year's Eve, I know, of that year.

Mr. GRIFFIN. Then you went back to work for Jack, and then how long did you work for him after that?

Mrs. POWELL. I worked for him until last summer. I got mad at him again and went to Oklahoma City. No; I went to Tulsa, Okla., and worked 7 weeks, and then came back. I don't think I went back with him then. No; I came back a week or two, and then I went back up to Oklahoma City, and I stayed 6 weeks last summer. Then I went to Kansas City for 2 weeks last summer also, and then I came back. August, I was up here. I was up in Oklahoma and it was awfully hot up there. And when I came back from Oklahoma City, after August, I went back to work for him. Are we up to this year yet?

Mr. GRIFFIN. We ought to be up to the fall of 1963. Let me answer this telephone. Let me interrupt you here and ask you, is there a difference between an exotic dancer and a striptease dancer?

Mrs. POWELL. Now, you have goofed me up. The difference between them is, an exotic is like a belly dancer, comes out on stage with veils and panels and things, like the dancer of the seven veils. And a stripper comes out fully clothed and takes it off. But an exotic doesn't take anything off. It is like, I don't know, Egyptian or something.

Mr. GRIFFIN. What kind of dancing do you do, striptease, or exotic?

Mrs. POWELL. A lot of girls would prefer to be exotic, but as far as I am concerned, it is a dirty old stripper. I have a friend that is a comedian that wants to team me with him, and I think I will.

Mr. GRIFFIN. I think before we digress here, Mrs. Powell, we were trying to figure out when it was that you started to work for Jack Ruby again just before he shot Oswald?

Mrs. POWELL. Let's see——

Mr. GRIFFIN. You indicated something about being in Kansas City?

Mrs. POWELL. I get confused on these things, because when you just skip around, you don't—let's see, did we establish I was working for him in January of——

Mr. GRIFFIN. New Year's Eve of 1963 you said you were working for him

Mrs. POWELL. I lived over here for a while in the same apartment building he did.

Mr. GRIFFIN. Did you live on Ewing Street?

Mrs. POWELL. Yes.

Mr. GRIFFIN. 223 South Ewing Street?

Mrs. POWELL. Yes.

Mr. GRIFFIN. Jack didn't move there until about the first of the year?

Mrs. POWELL. We moved in at the same time.

Mr. GRIFFIN. You did?

Mrs. POWELL. Yes.

Mr. GRIFFIN. Were you living with him?

Mrs. POWELL. No. I wasn't living with him, the ugly thing. I had an apartment. I presume you have seen his apartment and everything and know about it. My apartment was right here.

Mr. GRIFFIN. Across the hall?

Mrs. POWELL. Actually, I was away down here in the corner, and you had to walk around this corner, and my apartment was right here.

Mr. GRIFFIN. Were you living there alone, or with somebody else?

Mrs. POWELL. I lived there part-time alone, and this other girl that danced here was my roommate for awhile when she was in town.

Mr. GRIFFIN. Who was that?

Mrs. POWELL. Raven.

Mr. GRIFFIN. Did you live there before you went to Oklahoma City, or after you went to Oklahoma City?

Mrs. POWELL. That was the last time that I quit, was while I was living there, and I have forgotten when it was.

Now, in January I lived there. I moved in about the same time he did, because the apartment was a brand new building, and I was living down on Ewing, but further down, and there were a bunch of people living there that were kind of loud and it wasn't a very good environment, and Jack didn't think I should live there, and they were always fighting and calling the police, and he looked at this apartment, and he was going to move in.

He was real enthused about them, they were so great, and he got me to go down there and look at them, and I got an apartment there, because I don't like to stay by myself. I am real scary. I always think somebody is going to follow me home and do something to me, and I wanted to live in the same building as Jack so if I had any trouble, I would get him to help me.

Mr. GRIFFIN. Let's go back to last summer. Were you working for Jack last summer?

Mrs. POWELL. Last summer; no. Last summer I was up in Oklahoma City, so that means I came back and went to work for him, right.

Mr. GRIFFIN. You moved into that apartment sometime the early part of 1963, and then when you went to Oklahoma City, did you move out of the apartment?

Mrs. POWELL. You see, I quit the last time. It was while I was living in the apartment building. That is when I quit, and I didn't come back. No, I came back one more time, and I left just 2 days before this happened, from the Carousel, then I was gone, and I came back after.

Mr. GRIFFIN. When you quit Jack on November 20, that is 2 days before the President was shot——

Mrs. POWELL. That was the last time I quit.

Mr. GRIFFIN. At that time, were you living at South Ewing?

Mrs. POWELL. No. I quit before then. I was living on South Ewing, and there was a girl working up there that is married then to the emcee, and they were always, that doesn't work out in show business too well.

Mr. GRIFFIN. Wally Weston?

Mrs. POWELL. And his wife, Shari.

Mr. GRIFFIN. Was she working there as a stripper at Jack's place?

Mrs. POWELL. Yes. There is always a lot of confusion when they were around. They were kind of tough. Really, they are. They think they are great stars, and they cause trouble for other people, and I don't need it, because I can work, and I didn't feel like I could take it.

But anyway, we had some trouble, and I quit. This must have been in March, because I remember the weather wasn't bad. It was still cool, but it was like the summer, sun was shining.

It was March or April. Let me think, March or April. Must have been March or April, I guess. I don't really know. I can't remember.

But anyway, I quit, and I told him I would never work up there again as long as they were there.

And I worked some place else. I guess I went to Tulsa. I guess that is where I went. I worked some place.

I came back. It was in December, the month of December I worked in Oklahoma City for 4 weeks of this past year, and I came home for Christmas. And he called me. He has a partner, wanted his partner to ask me to come back.

Mr. GRIFFIN. Ralph Paul.

Mrs. POWELL. Yes. But Jack didn't want to. Jack and I really had it all the time. I don't know, either Ralph asked me or he did, but anyway, I went back. I told him I wouldn't work with them, so he fired this Shari so I would come back.

Mr. GRIFFIN. When was it that you came back?

Mrs. POWELL. Wait a minute. I was up there in December, and New Year's Eve I worked in Fort Worth for the Skyliner.

Mr. GRIFFIN. Which year, New Year's Eve?

Mrs. POWELL. This past New Year's, this year.

Mr. GRIFFIN. 1964. You are on beyond the assassination at this point?

Mrs. POWELL. Am I really? I—

Mr. GRIFFIN. Yes; you are.

Mrs. POWELL. Oh, yes, yes; I am. Yes; I am way beyond. Sure that had already happened when I was in Oklahoma.

Mr. GRIFFIN. You left Jack around March of 1963?

Mrs. POWELL. Wait a minute. I know I went to Tulsa, and I worked the last 2 weeks in March. I stayed in Tulsa in March, and I worked 2 weeks in Kansas City, and came back, and stayed in Tulsa, until June 2, and I came home.

Mr. GRIFFIN. Then did you come back and work for Jack?

Mrs. POWELL. Wait, don't rush me. That was last summer. How did I get up way past the assassination? It was last summer. Well, I worked for Jack up until 2 days before the President was assassinated. I closed on Tuesday. It happened on Thursday, didn't it?

Mr. GRIFFIN. Friday.

Mrs. POWELL. Then I closed on Wednesday, because it was just 2 days before the President was assassinated.

Mr. GRIFFIN. How did you happen to quit?

Mrs. POWELL. I got mad at him. Let me see if I can remember what it was about now. I don't even remember—something. He always had something going, you know; but I got mad and quit for some reason.

Mr. GRIFFIN. Did you give him any advance notice?

Mrs. POWELL. Oh, yes; I gave him notice.

Mr. GRIFFIN. How much notice?

Mrs. POWELL. A week's notice. Under union contract rules, you have to give the employer a week's notice, and he has to give you 2 weeks, if you are booked indefinitely like I was.

Mr. GRIFFIN. Are these the AGVA rules?

Mrs. POWELL. Yes.

Mr. GRIFFIN. Where were you living at that time?

Mrs. POWELL. I was living in Fort Worth then.

Mr. GRIFFIN. What did Jack pay while you worked for him? What was your salary?

Mrs. POWELL. Well, it was \$110 a week, I think, or \$115 he paid me.

Mr. GRIFFIN. Was Jack meeting the union scale?

Mrs. POWELL. Yes. See, in classified clubs like A, B, and C clubs.

Mr. GRIFFIN. What was Jack's classification?

Mrs. POWELL. I think it was classified as a C club, because he had connections. The C clubs don't have to pay as much as the class B, or A club would have to pay.

Mr. GRIFFIN. What about Jack's reaction to your having quit him?

Mrs. POWELL. Well, he always acted like he didn't care, like he was glad to get rid of me, and then he called me to come back.

Mr. GRIFFIN. Were you there when Jack turned out the lights on Jada?

Mrs. POWELL. Yes.

Mr. GRIFFIN. Did you actually witness that episode?

Mrs. POWELL. The whole thing. As a matter of fact, I thought he was going to turn and jump on me about it.

Mr. GRIFFIN. Tell us what happened?

Mrs. POWELL. Let's see, she was pulling her pants down, and that is against the law. She could close him up. And he got real excited. He was real excitable and he was running back and forth, and he didn't know what to do, so he just turned the lights out on her, and she just kept on dancing. Then she came off stage, and he got this idea in his mind, that she was—she had been doing this ever since she had been there, and all of a sudden he just noticed it. He had this idea in his mind that she was going to try to get his club closed down, and she was doing it to close the club.

Mr. GRIFFIN. How did he get that idea?

Mrs. POWELL. How did he get any of his ideas. He just got weird ideas about them. Like me, for instance, ever since the day I went to work for him, he never trusted me. He liked me and he had a lot of respect for me, but he said I was a conniver and I was a sharpie, and he said I was always thinking, trying to figure out a way to rook somebody out of something. I don't know where he got that impression, because I am not like that at all.

I would walk up to him in the evening and say, "Helloooo Jack," on purpose, because he had this weird reaction, and he would look at me and say, "What do you want?" Because he thought I wanted something. And one day I said, "What have you got that I would be trying to beat you out of?" He couldn't think of anything, but it didn't change his mind.

Mr. GRIFFIN. I take it you sort of teased him a bit?

Mrs. POWELL. I understood Jack and we got along great. We had fights and I would cuss him and he would cuss me, but he liked me for that. He never liked girls he could push around. He would much rather holler at them.

Mr. GRIFFIN. Do you think Jada was in cahoots with your competitors in any way?

Mrs. POWELL. No; I think he was getting ready to let her go anyway, because she had been there quite awhile.

Mr. GRIFFIN. What made you think that?

Mrs. POWELL. Because she had been there quite awhile and wasn't drawing much business. At first she drew a lot of business, but she was there for a long time and weren't doing much business.

Mr. GRIFFIN. You think that is the reason that she took this extra license in the middle of her act, because she hadn't been drawing much business?

Mrs. POWELL. I don't know. She really had been doing it—she came from New Orleans, and the first night she did her act, she was awful.

Mr. GRIFFIN. What did she do?

Mrs. POWELL. She was pulling up her strings, and they did things like that in New Orleans, and the girls don't work like that, so Jack had her to clean her act up about three times so he wouldn't get in any trouble. But she loved publicity and would love to have been taken to jail for it.

Believe me, I love and adore her. I think she has everything on the ball. She is flashy and she is what a stripper should be if they are going to be one, but she would do anything, just anything, and she went out with every reporter in town to get her name in the paper, from sports writers on up. And Jack got the word, or somebody that she was going to get arrested, because when she gets in town, she wants everybody to know she is in town, and if she has to go to jail to do it. She is smart, because she is clever. Because people come to see her for curiosity. I don't think that was it. He just happened to notice her doing it, and I don't really know. I think they had a little trouble or something, and an argument. They argued a lot too.

Mr. GRIFFIN. You said that she was pulling her pants down?

Mrs. POWELL. She wasn't pulling them down. She wore these very brief flesh-colored things underneath the G-string. She took the G-string and was pulling this front out from her body.

Mr. GRIFFIN. She would take off the G-string and have the flesh-colored pants on?

Mrs. POWELL. She had her hands like this and was pulling them out or pulling them up, and he saw her, and he just turned the lights out.

Mr. GRIFFIN. But this is something you had seen her do previously?

Mrs. POWELL. Oh, I had seen her, sure; but he has a way of not seeing everything. He is always so busy. I remember one night on the stage I went out and I was very mad, and I stomped around and acted real silly like I had never been on the stage before, for his benefit, and I do 15 minutes, and I was waiting for him to come back and jump on me, and he didn't even see it, and he was right there in the club. He doesn't observe everything.

Mr. GRIFFIN. What happened after he turned the lights out on Jada?

Mrs. POWELL. She went on and kept dancing in the dark. And she came off and was hollering and screaming, and he went back immediately and jumped on her and said she was trying to get the club closed. And they had a big row and he fired her. He told her she couldn't work the rest of the night.

Mr. GRIFFIN. Did he threaten or strike her in any way?

Mrs. POWELL. No; he didn't hit her. I wouldn't doubt that he might have. I wouldn't put it past him.

Mr. GRIFFIN. Have you ever seen him hit any of the employees?

Mrs. POWELL. No.

Mr. GRIFFIN. Have you ever had any of the employees tell you that he hit them?

Mrs. POWELL. No; I guess I call him everything in the book, and he never made an attempt to hit me. I argued with him more than anybody up there, and he never made an attempt to hit me. He never even threatened me.

Mr. GRIFFIN. Of course, you had a little protection. You were friendly with his backer?

Mrs. POWELL. That wouldn't stop Jack. He doesn't care. I mean, if he felt like doing it, he would do it.

Mr. GRIFFIN. Did you ever see him hit any customers?

Mrs. POWELL. Once I did.

Mr. GRIFFIN. Can you describe that episode?

Mrs. POWELL. Yes; Ralph was up there, and Ralph and I were sitting by the door, and this guy came in.

Mr. GRIFFIN. You are talking about Ralph Paul?

Mrs. POWELL. Yes; and this guy came in and he sat down in a chair behind me, and he was rubbing my back, and I told him to take his hands off of me, and so he wouldn't stop, and Ralph, you know Ralph—my hero—he told him "OK, that is enough. Get out of here." And he was pushing him out, and Jack was in the club and saw him, and he came running over and grabbed the guy and was pushing him out, and he got very upset because he thought quite a bit of Ralph, and the guy took a swing at Ralph. When he did, Jack just hit him. He hit him and pushed him out and closed the door where he couldn't come back in.

Mr. GRIFFIN. Was Jack a pretty strong fellow?

Mrs. POWELL. From what I understand, he is pretty rough. I have never actually seen him fight or anything. He is actually pretty good natured, really.

I have seen him argue with his best friends and tell them to get out of the club and don't ever come back. He and Earl Norman got into a fight one night up there too. And he and Earl were good friends.

Mr. GRIFFIN. Was this a fight or an argument?

Mrs. POWELL. He hit him, but it was Earl's fault.

Mr. GRIFFIN. What happened there?

Mrs. POWELL. Earl came in the club, and he drinks quite a bit, and he used to work up there as an emcee, but he drinks a lot, and when he gets drunk—well, we better go back to Jada, because this happened over that deal. On that night, Jack told Jada she couldn't finish out the night. She was going to do it anyway, and she called the union man so she could finish doing her last two shows. And the union man came up there and he talked to them, and he told Jack to let her go ahead and finish. So, they got together and decided to let her finish the week before she left.

Then they got into it again over something, I don't know, and she says that he threatened to hit her and all this, so the next night she is on stage working and the police came up there, and she had got a warrant for his arrest for threatening her or something, I don't know, filed charges against him, and they come up and took Jack and Jada before the night judge, got him out of bed or something.

Mr. GRIFFIN. Were you there and did you actually see the police come up and get Jack?

Mrs. POWELL. Yes; they took Jada with them. In the meantime, she had put all her stuff and packed it away in trunks and bought this paraffin that you seal things with and seal all her things up so if Jada missed anything—she said he threatened to burn her wardrobe also. And he went down to the police station and went before the judge, and they were gone about 2 hours, and he came back. The reason they went is because Jack didn't want to pay her for the week. He wanted her to leave, and she got her money, \$250. The judge gave it to her. And he came back and was furious, and he said she went down and told the judge all kinds of bad things about all of us, and he got the other girls worked up, and they were going to go to the motel where she was staying and do all kinds of things. And I am sitting there. I am pretty levelheaded, and I like Jack, but he likes to fabricate, and I couldn't believe that she said all the things he said she did. Anyway, if she did, she was telling the truth. She said, "I told the judge I pulled my pants down too, so I did."

I took up for her. I said, "Now, when you are calling her all these things, you go out and jump on her, and that is not going to make you any better than she is." He got mad at me because I didn't want to go out and jump on her. He felt like I was against him, so he was hollering at me and said, "I used to have respect, but I lost all respect. He thought I was stuff and tough." And I don't know, so I just left the club. I said, "I don't even want to talk to you." I went inside and I went back in and Earl Norman came over, because he is on the board of directors. The union man couldn't come over, and he sent Earl over there to stay there until Jada got her things and got out, so there would be a representative there in case anything happened. And she filed a claim. Jack thought Earl was against him also because he came over there.

So, he was in the club, and Jack started hollering at him and told him—first of all, it started out as a nice conversation, and Earl is great about quoting you new rules. He knows all of them, and he goes by the book, and especially when he is drinking. That is all he can talk about is union rules. He drives you crazy sometimes. And he was explaining to Jack, Jack said, "You are against me. You are against me." And he said, "No; I am not. I had to come over. Tom Palmer told me to, and it is my job as a member of the board." And Jack told him to get out. He said, "I want you to leave. If you don't, I am going to punch you in the mouth, so you get out now." And he was walking the floor. He was really, very, very angry. So Earl tells him, "You better not ever hit me, or I will get a gun and come back and shoot you." He shouldn't have said that. Jack went to pieces and he smashed him in the mouth, but Earl wasn't going to give up.

Mr. GRIFFIN. Did Earl leave at that point?

Mrs. POWELL. No; he kept explaining and mouthing off, but Jack didn't hit

him any more. The band was there and I was there. We had closed up already.

Mr. GRIFFIN. Did Jack send anybody out to get a gun?

Mrs. POWELL. No. It wasn't Jack that made that statement. It was Earl Norman.

Mr. GRIFFIN. It was Earl Norman who said he was going to get a gun and shoot?

Mrs. POWELL. Earl said if he ever hit him, he would go home and get a gun, and Jack hit him.

Mr. GRIFFIN. Jack did hit him?

Mrs. POWELL. Yes; I don't blame him much. He provoked him, really.

Mr. GRIFFIN. What did Earl do? Did he leave?

Mrs. POWELL. No; he kept on, and they got Jack calmed down, and Earl kept on, because when he drinks, he doesn't have good sense, Earl.

Mr. GRIFFIN. Do you remember when Earl Norman came back to the club about a week before President Kennedy was shot and Jack wouldn't let him in? Do you remember that incident?

Mrs. POWELL. Oh, well, he had come up a lot of times and Jack wouldn't let him in. He has been barred from there a hundred times. He would have an argument, and Jack would bar him. One time they ran him off.

Mr. GRIFFIN. I want to follow it from the time of this episode with Jada.

Mrs. POWELL. He came back after that. Jack never stayed mad at anyone for a long length of time. He would throw him out and tell him, "Don't come back," but Earl would call, "Is it OK if I come up," or he would come to the door and ask if it is all right, and I don't remember Jack not letting him in. But a lot of times it was depending on how drunk he was.

Mr. GRIFFIN. Did you observe any kindnesses or anything that Jack showed?

Mrs. POWELL. He was very kind to a lot of people.

Mr. GRIFFIN. Any specific instances of kind acts?

Mrs. POWELL. He was always picking people up off the street or something, that didn't have a place to stay or any money or a job or anything. He just had all kinds. Well, he had this one guy who used to sleep in the club. We had three or four guys sleeping in the club every night because they didn't have a place to stay. And he would give him \$2 or \$3 a day, and they were sort of flunkies.

Mr. GRIFFIN. Do you remember the last fellow, Larry Crafard?

Mrs. POWELL. Isn't he kind of a carnival guy?

Mr. GRIFFIN. That is the fellow.

Mrs. POWELL. Yes; I remember him.

Mr. GRIFFIN. Do you remember anything about Jack's twistboard?

Mrs. POWELL. Yes. I demonstrated his twistboard here in the building with the exhibits.

Mr. GRIFFIN. Texas Product Show?

Mrs. POWELL. Yes.

Mr. GRIFFIN. How many times did you go out to demonstrate?

Mrs. POWELL. Just once.

Mr. GRIFFIN. How long were you there?

Mrs. POWELL. Oh, about 30 minutes to an hour. Jack called me, and I went there before work one night, and then I went home with him and he cooked lamb chops.

Mr. GRIFFIN. What did you do, get up on the board?

Mrs. POWELL. There was another boy, he had picked up by the name of Tommy.

Mr. GRIFFIN. He had another fellow?

Mrs. POWELL. At this time that I was demonstrating the twistboard, there was this boy living with him. His name was Tommy something, and he was staying with him the last time I was there.

Mr. GRIFFIN. Living in Jack's apartment?

Mrs. POWELL. Yes. Because they came out there, and we went to the apartment, and Jack cooked dinner for us all.

Mr. GRIFFIN. How old a fellow was Tommy?

Mrs. POWELL. About 25, I guess.

Mr. GRIFFIN. What did he look like?

Mrs. POWELL. Well, I think he played—he told me he had played baseball. He looked like a baseball player. Baseball players all look alike, sort of athletic type, but not musclebound.

Mr. GRIFFIN. About how tall?

Mrs. POWELL. About 5' 11'', had brown hair, and I think he was from Iowa or someplace like that, a really nice kid. And he had a job; he was working though.

Mr. GRIFFIN. Where was he working?

Mrs. POWELL. Gee, I don't know.

Mr. GRIFFIN. In Dallas?

Mrs. POWELL. Yes.

Mr. GRIFFIN. How long had Tommy been living with Jack?

Mrs. POWELL. I don't know. He was living with him when I came back for work the last time, I believe.

Mr. GRIFFIN. When did he move out?

Mrs. POWELL. You got me, I don't know. I mean, I didn't keep up with all of these guys. He just picked guys up.

One night he had this boy up there, and he said, "You are going to Fort Worth. I want you to give this friend of mine a ride."

And I said, "OK." He says, "He goes to college at TCU, and you can drop him off."

And I said, "OK."

And the kid is working around there, and when I get ready to leave and I get him in the car and we pile his books in at the bus station, and I start on the turnpike, and I said, "How long have you known Jack?"

And he said, "I don't know him. I didn't have enough money to get to Fort Worth, and I started talking to him on the street, and he told me to come up to the club and he would give me a couple of dollars to work, and then he got me a ride."

And Jack doesn't know him, and here I am on a dark turnpike with this guy. But that is the way he does things.

There was a guy standing down one night in front of the place looking at pictures out in front, and Jack was down there, and he started talking to him, and that guy stayed around for a long time, and he got to be, well, he knew a lot of people here, and he was a pretty nice guy.

And Jack had him tell everybody that he was a friend of his from Chicago, because he knew that people, we were always teasing him about picking people up and helping them out, so he got to where he would say they were old friends from Chicago or someplace.

Mr. GRIFFIN. When you were demonstrating the twistboard, did you sell any of them?

Mrs. POWELL. We sold one to the guy that is the head of—what is the biggest extract company that makes food extract?

Mr. GRIFFIN. Hunt Foods? H. L. Hunt?

Mrs. POWELL. No. What is it? They distribute it here. It is a big extract company. They make vanilla and almond and all this.

The man's name that we sold it to was the man who owned the company, and he gave Jack, supposed to give Jack a case of rum extract or something.

Jack was trying to figure out a way to serve drinks after hours, and there is no way you can but this way you can serve rum and coke, and you can put rum straight in coke and sell it, and there is not enough alcohol in it that the law could do anything about it, and you can sell it for 60 cents. That was my idea.

Mr. GRIFFIN. You suggested that you sell it for 60 cents and mix the rum extract?

Mrs. POWELL. The whole thing, so he was tickled to death this guy was going to give him a whole case of rum extract.

Mr. GRIFFIN. Did he ever try that?

Mrs. POWELL. No, he never did it.

Mr. GRIFFIN. When you were out at the Texas Product Show, did Jack ever pick up any literature from H. L. Hunt?

Mrs. POWELL. No.

Mr. GRIFFIN. Did you ever see him with any radio scripts from Life Line?

Mrs. POWELL. No. What is Life Line?

Mr. GRIFFIN. Did you ever hear Jack have any political discussions with anybody?

Mrs. POWELL. No; never.

Mr. GRIFFIN. What do you remember about this fellow Larry, the carnival kid?

Mrs. POWELL. I remember I didn't like him too much.

Mr. GRIFFIN. Why not?

Mrs. POWELL. Well, because I thought he was kind of a bum, and I don't like bums. He is kind of a—like kind of gave me the creeps or something, like some guy. I think he looked at you kind of funny. I don't know, I didn't like him, and he got pretty bossy.

Jack let him sleep up in the place there, and he decided he was big cheese, and he came back there one night telling me something that I should do, and I really jumped on him and told him, "All you are is a flunky and you are just up here to sweep floors." So, I don't think he liked me too well after that.

Mr. GRIFFIN. Did Jack ever give you any of the reducing pills he was taking?

Mrs. POWELL. No.

Mr. GRIFFIN. Did he give any to the other girls?

Mrs. POWELL. No. I didn't know he was taking reducing pills. He had some kind of powder junk and you are supposed to put it in your coffee and it will hold your appetite down.

Mr. GRIFFIN. Diet pills is what I meant when I said reducing pills.

Mrs. POWELL. But I just saw this powder and he had that sitting on the table by the coffee.

Mr. GRIFFIN. Do you know anything about any transactions he did under the name of Banker Drugs?

Mrs. POWELL. No.

Mr. GRIFFIN. Have you ever heard that? Banker Drugs?

Mrs. POWELL. No.

Mr. GRIFFIN. Do you know a number of the girls that swore out affidavits against Jack for AGVA, and they said in their affidavits that Jack wanted them to mingle with the customers contrary to the AGVA rules and so forth? What do you know about that?

Mrs. POWELL. That is not true. That is absolutely untrue, absolutely.

Jack had a hard time in that club because the other clubs were in competition with him, and they have been here 20 years. Not near as bad as Jack imagined.

He had this big thing built up in his mind that they were trying to put him out of business, but really they weren't.

Mr. GRIFFIN. Why do you say that?

Mrs. POWELL. I don't think they were. Why should they care. They have been in business 20 years, and still doing the same things. Other clubs help you. It is competition, and people like that, and people like to go to other clubs in different districts.

Jack was upset about the amateur nights and I can see why, because the amateurs were all working and they got \$10 a night doing a show.

They had four clubs in Dallas they could work, and that was \$40 a week, plus all the daytime jobs.

Mr. GRIFFIN. What were the four clubs? I know of the Carousel, the Theatre Lounge, and the Colony Club. What was the fourth?

Mrs. POWELL. Vegas. He let the girls work at the Vegas to help them out to get another \$10. He didn't need it at the Vegas. The place was packed all the time.

They passed this rule that you couldn't have amateur exotics any more because it was knocking some legitimate acts out of business, so Jack immediately—they sent wires to all the club owners, and Jack immediately stopped.

But the other two clubs continued to have their amateur exotics. But they said the girls had to join the union. You had to pay them \$35 a night. That is union scale for a night.

But they weren't paying them that. They were paying them \$10 or \$15 just per usual.

Mr. GRIFFIN. How do you know that?

Mrs. POWELL. Well, I know.

Mr. GRIFFIN. Any of the girls tell you?

Mrs. POWELL. I got a direct line.

Mr. GRIFFIN. Did any of the girls tell you how much they were getting paid?

Mrs. POWELL. No.

Mr. GRIFFIN. Anybody in one of the clubs tell you?

Mrs. POWELL. Yes.

Mr. GRIFFIN. Who was that?

Mrs. POWELL. I really don't remember. I really don't remember, but that is what I heard, and I just know. Listen, I know these club owners. They are not going to give their girls \$35. They are not, because I know them. They kept having their shows over there.

And I was in the office when Jack called the head man, I think, in New York or Chicago. He went up, as a matter of fact, to New York and paid a visit to him.

Then when I went to New York last year, he wanted me to go over and talk to him. And one night in his office, I was in there when he made a call. He was very upset about it.

Mr. GRIFFIN. Would you tell us from your knowledge of Jack that in the couple of weeks or months before President Kennedy was shot, Jack was more excited and worried and concerned about his club and his competitors than he had been at other times?

Mrs. POWELL. No. Maybe he was. He got to where he hadn't been coming in so much, being so worried about it.

He became more relaxed about the club. At first, he would never leave the club. He was there all the time, but he got to where he would go out and come in later like at 10 o'clock or something.

Mr. GRIFFIN. Did you get the feeling that in fact in the month or so before the President was shot, Jack felt confident enough about his club so he was out doing other things?

Mrs. POWELL. Well, not that he was out doing other things. Just that he wasn't coming in until 10. I think he had someone working up there at that time that was running it.

Mr. GRIFFIN. Ed Pullman?

Mrs. POWELL. I don't know. I think there was someone up there that was kind of looking after the place, but he had the club pretty well going smooth enough to where he could do that.

Mr. GRIFFIN. Was Andy Armstrong pretty able to run the club for him?

Mrs. POWELL. Yes. We had all been there so long and we knew what to do and when to do it and how to do it.

Really, Jack didn't have much of a problem, because the kids had been with him for a long time, most of them.

Mr. GRIFFIN. Well, you described the episode with Jada and as a result of it you mentioned that he felt people were against him, and you sided with his competitors, and he was mad at Earl Norman and felt Earl Norman was on the other side, and so forth.

Had there been other occasions when Jack had said the same thing, or was this a new concern on his part that everybody was turning against him?

Mrs. POWELL. No. Ever since I have known him, he had been that way. He is the type of person that he gets an idea about something and I don't care what it is, if that is the way he feels about it, you can't shake his mind, and it doesn't do any good to argue, because that is the way he is.

And he never thinks before he does anything, never.

Mr. GRIFFIN. How common was it for him to feel that people were against him?

Mrs. POWELL. Well, it is very common, because I think—I don't know, because I wasn't there, but from being around him and from knowing Ralph as well as I do and other people that know Jack, I understand that he had a pretty hard time getting up.

Mr. GRIFFIN. From your own experience, I am asking you?

Mrs. POWELL. Well, it was very common, but you know, like all of his life, he has had to fight for things, and he feels that in order to get some place, he's got

to do everything, he is going to do it before somebody else does it to stop him. He has always had this in his mind that somebody was going to do something to him, and he was going to beat them to the punch.

Does that make sense to you? Do you understand what I am saying?

Mr. GRIFFIN. He wanted to get in there first?

Mrs. POWELL. I don't care how much money Jack had. If he had been a millionaire, he wouldn't have been one bit different. He didn't have any class, and he really wanted to. And no tact.

Mr. GRIFFIN. What had he ever said to you about his desire for class?

Mrs. POWELL. Well, now, you could tell the way he acted, and if you were around him a great deal. Jack really wanted to be somebody, and have class. He used the word class quite often, so I know it was an important thing with him. This girl that worked up there, he said, "She's got class," and he would go on about class. Everything had to have class. And I think that is what he wanted, but he could never have it, because Jack was just Jack. He has no tact. I mean the club could be packed, and if he is standing over on this side and there is something doing, he would holler, "Hey, you hit the door." He is just weird.

Mr. GRIFFIN. Maybe we will get back to this in a little bit. I want to ask you some questions about your own activities on November 22 and from then on, and we will maybe work back into this again.

Mrs. POWELL. All right.

Mr. GRIFFIN. Where were you when you first learned that President Kennedy had been shot?

Mrs. POWELL. I was at this guy's house over here in Dallas.

Mr. GRIFFIN. Who is that?

Mrs. POWELL. I don't know. You probably got his name down. I don't know which name you got.

Mr. GRIFFIN. I don't know whether I do. Mike Ryan? Mickey Ryan?

Mrs. POWELL. That is the one, the guy that Jack picked up, the one I was telling you about.

Mr. GRIFFIN. How did you happen to go over to his house?

Mrs. POWELL. I had some friends come in from Old Mexico that morning. There were five of them.

Mr. GRIFFIN. Who were they?

Mrs. POWELL. Well, I didn't know all of them. There was this one guy I knew was a bartender in Tulsa, and when I worked in Oklahoma I—the last time, he rode this far with me. He had a friend in Old Mexico, and he was going to go over there for about a month or so. And I brought him over to the apartment. As a matter of fact, he went down there, and he had been gone about 2 or 3 months, and that morning someone knocked on the back door, and this was him, and he had these other people with him that I didn't know. Like I say, my grandmother lives with me. And he said, "I have some friends in the car and we have driven 1,500 miles and haven't eaten and didn't have any money. They had been down bumming around and could they come in?" And I said, "Sure." And he gets out and brings in a girl, a beatnik, which doesn't bother me. My grandmother is 76, and she is a beatnik.

Mr. GRIFFIN. Not your grandmother?

Mrs. POWELL. No; the girl is a beatnik type. She is from England or something like that, I think. And his other boy comes in from New York and all three people are from New York, and he brings this colored guy. And like I live in the South, but I just figured that this is my property. He was a very nice guy. He was studying to be a doctor, and they had gone there for the summer. They came and I fixed breakfast and coffee. And this friend of mine from Tulsa has a friend over here and he wanted me to bring him over to see if he could borrow some money, because he was going to ride as far as Tulsa, and give them some money to get to New York. So, I brought him over here and went out to his friend's house and his friend wasn't at home. His friend's house is very close to the apartment that Mickey was living in.

Mr. GRIFFIN. Where was he living at that time?

Mrs. POWELL. I don't know. It is where Gaston Avenue—are you familiar with the city?

Mr. GRIFFIN. I know the street.

Mrs. POWELL. It is where Gaston comes into, you know, you go out Gaston—have you gone out Gaston? If you haven't, I am not going to go through this. It is where Gaston and Grand Avenue come together. He lived on Gaston, but just off of Grand Avenue. It is a real pretty apartment.

Mr. GRIFFIN. About what time was it when you got over there?

Mrs. POWELL. I don't know. What time was the President assassinated? That is what time it was.

Mr. GRIFFIN. About 12:30?

Mrs. POWELL. That is what time it was, because when we went in, the television was on, and when we went in, Mickey turned the TV off.

Mr. GRIFFIN. Did you take your friends with you?

Mrs. POWELL. No; just Pete and I. His friends stayed over in my house and we came over here alone. When we went in, TV was on, and Mike turned it off, and we were sitting there talking, and Pete was looking for a job or something, so he said, "I have this friend that Mike had just gone to work in a bar out here at the Marriott or some place, and he said he had this friend that might be able to help Pete find a job. And he went to the phone and called him, and we were sitting in the living room, and he asked this guy, and the secretary said that he was outside. Anyway, I don't know about that conversation, but all of a sudden he said, "Oh, no." He was going on something terrible, and I thought what happened to his friend. So I said, "What happened to your friend?" And he didn't answer. Then he came out of the bedroom and he said, the President has just been shot, he walked right to the TV and turned it on, and we thought it was a joke, that nothing like that could happen, it just couldn't. And we were laughing and everything, and he turned it on, and they had the TV cameras out where he was supposed to make his speech. They announced it, and it was unbelievable.

Mr. GRIFFIN. How long did you remain there?

Mrs. POWELL. We didn't remain very long. We just stopped by there for a minute, and we left there and came downtown. No; we went to Parkland Hospital. We were there long enough, because we found he was in Parkland Hospital. And Pete and I went over to Parkland Hospital.

Mr. GRIFFIN. Did you arrive at Parkland Hospital before it was known that the President was dead?

Mrs. POWELL. Yes.

Mr. GRIFFIN. OK; go ahead.

Mrs. POWELL. So, we went out there to the hospital.

Mr. GRIFFIN. Let me interrupt you, because I thought of another question.

Mrs. POWELL. OK.

Mr. GRIFFIN. What were the driving conditions going out there to Parkland?

Mrs. POWELL. Very bad. Well, they weren't so bad. I came through town to start with. We started down to get an extra, because we knew they would have extras, and I wanted to get one to save for my kiddos.

Mr. GRIFFIN. You did stop downtown?

Mrs. POWELL. Over here some place at one of the newspapers. We stopped for just a second and ran into see if they had the extras out yet. No; maybe we didn't. I think we went directly to the hospital, because it had just happened. Anyway, we went to the hospital, and it wasn't too bad going out, but around the hospital it was just terrible. But we parked and we walked up and stood there, and the TV cameras were there already. And I guess we had been there about—on the way out there, they announced over the radio that the President was dead.

Mr. GRIFFIN. As you drove out, did you go out the expressway? That is, Stemmons Expressway?

Mrs. POWELL. Yes.

Mr. GRIFFIN. Did you drive out the Stemmons Expressway?

Mrs. POWELL. Yes.

Mr. GRIFFIN. How was the traffic on Stemmons Expressway?

Mrs. POWELL. It didn't seem to be too bad on the expressway.

Mr. GRIFFIN. Did you make normal time?

Mrs. POWELL. I drove very fast.

Mr. GRIFFIN. About how long did it take you? Where did you get on the Stemmons Expressway?

Mrs. POWELL. Well, I came through town.

Mr. GRIFFIN. Did you get on there the same way the President had gone?

Mrs. POWELL. Yes; I sure did, because Pete had never been here before. It was his first time. Just when he got the plane to go to Mexico. And I was showing him. We drove by the Depository down there.

Mr. GRIFFIN. About how long would it have taken you to drive out there?

Mrs. POWELL. Well, I don't recall that it took any longer than it normally would to drive out there. Of course, I slowed down through town. We came down and I slowed down and we looked up at the window. Of course, there was a lot of people, but they were keeping traffic moving, and we went exactly the same route, because I pointed out the building where he was supposed to make his speech. Then I got off, and I wasn't too sure where the hospital was, to tell the truth. I got off and I found it all right, and there was just a lot of traffic around there.

Mr. GRIFFIN. Did you have any trouble parking when you got to the hospital?

Mrs. POWELL. Sure. People were parking everywhere.

Mr. GRIFFIN. You think you got out there after you learned the President was dead?

Mrs. POWELL. They hadn't announced it to the people there, I don't think. I know that I knew that the President was dead. The people standing around the hospital did not know it as of yet.

Mr. GRIFFIN. Were you standing around the main entrance or the emergency entrance?

Mrs. POWELL. I was around at the main entrance, I guess. The main entrance faces this way? Like this is the hospital, and this is Harry Hines, and this is the main entrance?

Mr. GRIFFIN. Let me ask you to draw a diagram. Put Harry Hines Boulevard and the Parkland Hospital, and then draw it in such a way that we can tell.

Mrs. POWELL. I will make the hospital here, and this is Harry Hines here. I parked down here somewhere, and all the TV cameras—there was a big truck, was like here with the cameras, and I stood just right here.

Mr. GRIFFIN. Put a "P" where you were.

Mrs. POWELL. I stood right here, and there was an entranceway here, and, of course, there was a curb right here.

Mr. GRIFFIN. Did you see President Johnson come out of the hospital?

Mrs. POWELL. No; I didn't. I don't think he was seen, was he? Did they put him in a car with the curtains drawn? I know they kind of worried about him.

Mr. GRIFFIN. Was the entrance that you were standing by, the entrance that President Kennedy's body was taken into?

Mrs. POWELL. No. See, I wasn't there when they took him in or anything, but I was standing here on this side. Now, this would be Harry Hines running north and south; right?

Mr. GRIFFIN. Yes.

Mrs. POWELL. I was standing on the south side of the building, and I think the emergency is around here. There wasn't any way I could get close to the emergency, because it was just full of cars and people, so I came down here to Hines and pulled up over a curb and got upon the grass and parked down here. They brought the President from somewhere around here, because this is a curb and a street all through here like the front of this.

Mr. GRIFFIN. I am going to have to stop you a minute, Nancy, because I want to make what you have been saying clear to the people that read the record.

Mrs. POWELL. Okay.

Mr. GRIFFIN. Let me ask you at this point where you think the entrance was that you were looking at, the entrance that you were near?

Mrs. POWELL. Right here.

Mr. GRIFFIN. That is on the south side of the building?

Mrs. POWELL. Yes, it is on the south side.

Mr. GRIFFIN. Also, you have drawn a line of some sort out of the north side of the building?

Mrs. POWELL. Well, you told me to show you where I thought they brought him out.

Mr. GRIFFIN. That is right. Now, would you make an arrow on that and then along the arrow that you have drawn, indicate the place from which you think President Kennedy's body was taken? Would you write something to the effect, "Place from which President Kennedy's body was taken"?

Mrs. POWELL. But I didn't see it.

Mr. GRIFFIN. But you have some idea. I am trying to get some idea in case you are not clear really on what entrance this is.

Mrs. POWELL. I am clear on the entrance. I know it is the entrance on the south side, and I know that is where a lot of reporters and people were going in there.

Mr. GRIFFIN. I see. While you were standing there, at any time did you see Jack Ruby around?

Mrs. POWELL. No. Do you want me to do this now? This is a curb.

Mr. GRIFFIN. All right. I think it is good enough to leave it the way it is, and I won't ask you to mark President Kennedy's route.

Mrs. POWELL. I know where he came from, and it apparently must have been from here.

Mr. GRIFFIN. The north side is what you are pointing to?

Mrs. POWELL. I was standing here, and when they came out, they had him in a hearse.

Mr. GRIFFIN. You saw the hearse come by?

Mrs. POWELL. Yes. It came from around the end of the building like this, and they came down this way through here and down Harry Hines.

Mr. GRIFFIN. Mark some arrows on that line so that we know it is the route of the President.

Mrs. POWELL. This is Harry Hines, and they went down this way.

Mr. GRIFFIN. Let me mark it for you so I will show you what I want. I am putting arrows along the route to indicate where it was, and I am going to mark this, "Route of President Kennedy's hearse."

I am going to mark this piece of paper that we have been working with here as "Nancy Powell Deposition, July 25, 1964, Exhibit No. 1."

How long did you remain out at Parkland Hospital?

Mrs. POWELL. Till they brought his body by.

Mr. GRIFFIN. Then what did you do?

Mrs. POWELL. What I thought was his body. I mean, I didn't see in there, but I know it was a black hearse and the curtains were drawn, and they had a motorcade, so I know it must have been him.

Mr. GRIFFIN. Then what did you do?

Mrs. POWELL. Then I left.

Mr. GRIFFIN. Where did you go?

Mrs. POWELL. I went back to Fort Worth, because my grandmother was very, very fond of the President, and she was pretty old, and I knew she would be very upset.

Mr. GRIFFIN. Did you take your friend back with you?

Mrs. POWELL. Yes.

Mr. GRIFFIN. What was his name?

Mrs. POWELL. Pete.

Mr. GRIFFIN. What was his last name?

Mrs. POWELL. If you hadn't asked me, I could have of told you. Devoire, D-e-v-o-i-r-e [spelling].

Mr. GRIFFIN. You said he was from Tulsa?

Mrs. POWELL. Yes.

Mr. GRIFFIN. What does he do for a living?

Mrs. POWELL. He is a bartender.

Mr. GRIFFIN. What club was he working in?

Mrs. POWELL. Well, he was working in Enid whenever he went to Mexico, and I don't know the name of it.

Mr. GRIFFIN. Now, you are working up in Oklahoma?

Mrs. POWELL. In Oklahoma City.

Mr. GRIFFIN. Were your friends back at your grandmother's house when you got back there?

Mrs. POWELL. Yes.

Mr. GRIFFIN. What did you do when you got back to your grandmother's house?

Mrs. POWELL. My grandmother was cooking dinner, and she was really very shaken up about it. She was in tears practically, so I went in and we sat down and we ate.

We got up, and this girl did the dishes, and, of course, we discussed it at great length, and we all watched TV, I would say, until we got sick, just listening to it any more. I thought I was going crazy, but we sat up and watched TV until late that night. Then we went to bed, and the next day we watched TV again. They left the next day in the afternoon. They went on. But they stayed overnight.

Mr. GRIFFIN. What did you do after they left?

Mrs. POWELL. I didn't do anything. Then I just did normal things that I do when I am at home.

Mr. GRIFFIN. Didn't you go into Dallas Saturday night?

Mrs. POWELL. Oh, yes, I did. Why did I come over here that night? I had some reason for coming over, and I don't know what it was. I forget what it was now.

I had to see Pappy, this agent here. I was going out of town. I know what it was, I was leaving on Monday to go to Oklahoma City to work, and I needed some money to go up there on, so I had to come over and get money from Pappy to go, and I called Little Lynn.

She used to ride with me until I quit, and I called her and told her that I was coming over here, and if she wanted to ride, she could, because she had to ride the bus. And she said she would like to ride, so I went by and picked her up.

Mr. GRIFFIN. Did you pick up her husband also?

Mrs. POWELL. Yes.

Mr. GRIFFIN. Anybody else?

Mrs. POWELL. No.

Mr. GRIFFIN. What time did you pick her up?

Mrs. POWELL. She was supposed to be at work at 9 I think, so I must have picked her up around 8, between 8:10 or 8:30.

Mr. GRIFFIN. Then what did you do?

Mrs. POWELL. We came over and went to the Colony Club, and Pappy wasn't there, so I went over to the—no, first of all, we went to the Carousel. When we got there, it was closed, and the other clubs were open.

This is unusual, because Jack didn't believe in closing. So, then we went over to the Colony Club, and Pappy wasn't there, so Lynn said she was going to call Jack. She needed some money, and he didn't tell her that he was going to be closed.

But he said that he told Andy that he was going to be closed, and Andy was supposed to call her, and he couldn't find her, or something; I don't know.

She called Jack.

Mr. GRIFFIN. Had she gone to work the night before?

Mrs. POWELL. No. They were notified the night before that they weren't going to work, but the next night for some reason they weren't notified. I don't really know why. But she wasn't.

I think someone else showed up that night too. They didn't know they weren't supposed to work. I don't know who it was.

Mr. GRIFFIN. Another one of the dancers?

Mrs. POWELL. Another girl, I think.

Mr. GRIFFIN. Who else was working there?

Mrs. POWELL. I don't know. He had some girls at one time that I didn't know.

Mr. GRIFFIN. Was Kathy Kay working there at that time?

Mrs. POWELL. Yes.

Mr. GRIFFIN. Did she show up?

Mrs. POWELL. I don't know. I just saw this one girl, and she was a new girl, and I think he just got her off the street somewhere just to fill in in the show.

Mr. GRIFFIN. How about Joy Dale? Do you remember Joy Dale?

Mrs. POWELL. Yes, I remember Joy Dale.

Mr. GRIFFIN. Was she the one that showed up?

Mrs. POWELL. No.

Mr. GRIFFIN. You don't think much of Joy Dale, I take it, from your response?

Mrs. POWELL. No, because I read the article she wrote to a magazine, and it was a bunch of lies, and I don't like people that lie.

Mr. GRIFFIN. She wrote an article about Jack Ruby that wasn't true?

Mrs. POWELL. If they can't tell the truth, they don't need to say anything at all, and she broke her neck to make all these wild statements.

Mr. GRIFFIN. Did she use her own proper name in that magazine article?

Mrs. POWELL. I don't know. It was Joy Dale, is what it said.

Mr. GRIFFIN. Is that the name that was used, Joy Dale, in the magazine article?

Mrs. POWELL. Yes.

Mr. GRIFFIN. Do you remember what magazine it was in?

Mrs. POWELL. In a little one. It made me sick. I didn't even buy it. It had a picture of her and pictures of Lynn in there. It was a small type magazine.

Mr. GRIFFIN. You all went from the Carousel Club to the Colony?

Mrs. POWELL. Yes. I was looking for Pappy to get some money. We were going immediately back to Fort Worth, because I didn't have any reason to be over there. Then we went to the Theatre Lounge, and I found Pappy and I got some money, and we got in the car and went back to Fort Worth and went out to the Three Twelve Club.

Mr. GRIFFIN. Where is the Three Twelve Club?

Mrs. POWELL. On Lancaster in Fort Worth. (2701 E. Lancaster.)

Mr. GRIFFIN. About what time did you get to the Three Twelve Club?

Mrs. POWELL. I don't know. It must have been around 11.

Mr. GRIFFIN. How long did you stay there?

Mrs. POWELL. Until they closed.

Mr. GRIFFIN. What time was that?

Mrs. POWELL. 12.

Mr. GRIFFIN. Then what did you do?

Mrs. POWELL. Then I took them home and I went home, I guess.

Mr. GRIFFIN. You hesitate. Now, what did you do?

Mrs. POWELL. I either went home or went to the Cellar. I guess I went home.

Mr. GRIFFIN. The Cellar, is that another club?

Mrs. POWELL. Yes.

Mr. GRIFFIN. Where is the Cellar?

Mrs. POWELL. Fort Worth.

Mr. GRIFFIN. What makes you think you went to the Cellar?

Mrs. POWELL. Because I went to the Cellar sometimes because the Cellar was open all night.

Mr. GRIFFIN. Is it an all night club?

Mrs. POWELL. Yes, sir. That is where the Secret Service men go.

Mr. GRIFFIN. I am not in the Secret Service.

Mrs. POWELL. Pat said he would probably be called to ask him about getting them drunk on purpose. But they don't have drinks down there. I had a rum and coke.

Mr. GRIFFIN. Is that rum extract?

Mrs. POWELL. Yes. Anyway, whether I went home or not, I may have gone by the Cellar, or home, one or the two. I really don't remember. I can't remember all those things away back then.

Mr. GRIFFIN. Do you remember while you were at the Colony Club about Little Lynn and Bruce going out any place?

Mrs. POWELL. No; she made a phone call. Did I tell you she called Jack and asked him?

Mr. GRIFFIN. How did you know that she called Jack?

Mrs. POWELL. Because I was with her. I didn't go in the phone, but she called him.

Mr. GRIFFIN. Where did she call him?

Mrs. POWELL. From the parking lot. She said she asked him why he didn't tell her that he wasn't going to be open, and he got—this is hearsay. I mean, that is what she repeated to me, and I don't know if I can repeat exactly what she said.

Mr. GRIFFIN. When did she repeat it; at that time?

Mrs. POWELL. Yes; right afterward. She was pretty mad, because she made the trip over and everything and they were closed, so she asked Jack why they didn't tell her they were going to be closed. And she said that he started hollering at her, "Don't you have any respect for the President?" And she said he was hollering and screaming and was real mad and said that she should have known that he was going to be closed. Anyway, she proceeded to tell him that she needed some money.

Mr. GRIFFIN. How much money did she ask him for?

Mrs. POWELL. I don't know. I think \$20 or \$25. I think it was \$25; I am not sure. And he was going to the synagogue.

Mr. GRIFFIN. How do you know he was going to the synagogue?

Mrs. POWELL. Well, because I know he was going to the synagogue. Maybe somebody told me, but I know he went to the synagogue that day.

Mr. GRIFFIN. Are you sure that he went that night? How do you know he went the same night the telephone call was made?

Mrs. POWELL. I think that is the night he went to the synagogue, really. I am saying this is a fact, you understand?

Mr. GRIFFIN. Are you sure that was on Saturday night, or could it have been Friday night that you were at the Colony Club?

Mrs. POWELL. It was the day after the President was shot. What day was that?

Mr. GRIFFIN. That would have been a Saturday.

Mrs. POWELL. Well, that is when it was, because the first night they were closed up, and the next night they were all open except Jack.

Mr. GRIFFIN. Do you remember, did Little Lynn tell you that after her telephone call? Did Little Lynn tell you Jack said he was going to the synagogue?

Mrs. POWELL. I don't remember, but, okay, anyway, he was going someplace, and he couldn't give her the money that night.

Mr. GRIFFIN. Well, now, what makes you think he was going someplace?

Mrs. POWELL. Well, he told her that he couldn't bring the money to her until later, and she wanted to go out to his apartment and pick it up or something. I don't remember, really, too much about it. But he told her that he would send it to her the next day.

Mr. GRIFFIN. Did she get any money there at the parking lot?

Mrs. POWELL. No.

Mr. GRIFFIN. Were you at the parking lot?

Mrs. POWELL. Yes.

Mr. GRIFFIN. How did you know that Jack said he would send it to her the next day?

Mrs. POWELL. Because she said so.

Mr. GRIFFIN. When did she tell you that?

Mrs. POWELL. When she got through talking on the phone, she told Bruce and I, because Bruce didn't have any money, as usual, and they needed the money. She told Bruce that he said he would send it to her the next day. Because he was planning to stay closed, he told her, for 3 or 4 days, or until Monday, I think he said. Or I don't remember. I think he was going to stay closed until Monday, or until after the funeral, he was going to stay closed. She could tell you more about that. But I know he was going to send her the money, because she told Bruce.

Mr. GRIFFIN. Are you sure you didn't stay up in the club while she made that phone call, at the Colony Club?

Mrs. POWELL. I am not sure.

Mr. GRIFFIN. You seem to have a pretty vivid recollection of being down there.

Mrs. POWELL. I know when we went, we stopped at the parking lot, when we went to the club, and it was closed. I know she made a phone call from the parking lot.

Mr. GRIFFIN. How do you know that?

Mrs. POWELL. Because I know she didn't make it in the club. I don't think she did. Hell, she may have. She might have; I don't remember, really. All I know is what she came back and said after she got through talking on the phone. What she said is that Jack was real mad and was hollering, "Don't you have any respect for the President," and said that he couldn't bring her the money right then, or something, but that he would send it to her the next day, something. And I know Bruce wanted to know if we could go by and pick it up, and we discussed that, but for some reason he was going to send it; I don't know.

Mr. GRIFFIN. You don't remember getting any money on Saturday night?

Mrs. POWELL. Her getting any money?

Mr. GRIFFIN. Yes.

Mrs. POWELL. I don't know where she would get it from, because she was with me, and we didn't go any place to get any money. I didn't loan them any money. I came over to get money from Pappy myself.

Mr. GRIFFIN. Didn't Lynn borrow any money from Pappy?

Mrs. POWELL. Not that I know of.

Mr. GRIFFIN. She was with you when you went to Pappy's?

Mrs. POWELL. I think I cornered Pappy in the parking lot, and I think that they stayed up in the club, in the Colony Club.

Mr. GRIFFIN. Did you see anybody up in the Colony Club that worked for Jack?

Mrs. POWELL. Nope.

Mr. GRIFFIN. Were any of his friends up there?

Mrs. POWELL. I don't remember whether I did or not. I remember seeing Abe. I don't really remember. I don't recall.

Mr. GRIFFIN. Did you make any stops between Dallas and Fort Worth on the way back?

Mrs. POWELL. No.

Mr. GRIFFIN. Did you go past Jack's apartment?

Mrs. POWELL. I don't think so.

Mr. GRIFFIN. You seem to have some hesitation?

Mrs. POWELL. Well, the reason I am doing that is because I know there was some sort of discussion about going by there to pick the money up, which we didn't. I don't think we did. I think that we went directly to Fort Worth.

Mr. GRIFFIN. You hadn't made any arrangements yourself to see either Jack or Ralph Paul Saturday night, had you?

Mrs. POWELL. No.

Mr. GRIFFIN. Did you talk to Ralph that day at all?

Mrs. POWELL. Well, I don't think I talked to him that day. I don't think I did. I may have, but I don't think so. I don't remember.

Mr. GRIFFIN. You were still dating Ralph at that time?

Mrs. POWELL. I don't remember that either. I was trying to remember. I don't think so. I don't remember. I just can't remember things like that.

Mr. GRIFFIN. You saw him the next day?

Mrs. POWELL. I am the one that called him and told him.

Mr. GRIFFIN. Where were you when you called him?

Mrs. POWELL. I was at home. He was at work, and a friend of mine called me and told me that Jack had done this thing.

Mr. GRIFFIN. Who called you?

Mrs. POWELL. I don't know, one of my girl friends. Two or three of my girl friends. Betty, this friend of mine, called first.

Mr. GRIFFIN. What is Betty's name?

Mrs. POWELL. Betty Stowbaugh.

Mr. GRIFFIN. Who else called you?

Mrs. POWELL. I think Barbara called.

Mr. GRIFFIN. Who is she?

Mrs. POWELL. Barbara Wagner. Why do you want to know all the people that called? It was on TV, and they called to let me know.

Mr. GRIFFIN. Who else called you?

Mrs. POWELL. I don't know. I know those two called.

Mr. GRIFFIN. Did Little Lynn call you?

Mrs. POWELL. Yes; but Betty called me as soon as it happened, before they knew who did it, and she told me to turn it on channel something real quick, and the TV was on already, but I had just gotten up, and I ran in there, and then they kept saying Jack Luey, and I thought well, that is not him. It was on TV. They said Jack Ruby did it. Then they said Jack Ruby, and I called Ralph and told him.

Mr. GRIFFIN. What did Ralph say?

Mrs. POWELL. He said, "No; he didn't." And I said, "Yes; he did." "No; he didn't do that," he said. "He is at home." And I said, "No; he is not. He did it." So he said he would call the apartment. "And call you right back." So, he called the apartment, and there was no answer, and he had a radio down there, and somebody came in or something on the radio and told him that it happened.

Mr. GRIFFIN. How do you know Ralph called Jack's apartment?

Mrs. POWELL. He told me. That is what he said he was going to do, call the apartment. He said he was home and was going to call to see if he was at home.

Mr. GRIFFIN. Then what did you do?

Mrs. POWELL. I was there at the house and he said he would call me back. I don't know whether I called him or he called me, but anyway, we spoke on the phone again, and he knew that it was Jack that had done it.

Mr. GRIFFIN. What did he tell you?

Mrs. POWELL. He couldn't believe that he would do it. So he said he was going to come over right away to see about helping Jack, and wanted me to go with him.

Mr. GRIFFIN. Didn't he mention that he talked with Jack the night before?

Mrs. POWELL. Yes.

Mr. GRIFFIN. What did he tell you about that?

Mrs. POWELL. He just said he spoke to Jack, and that Jack was very upset, and I think he wanted to go someplace.

Mr. GRIFFIN. Where did he want to go?

Mrs. POWELL. I don't know. I think he wanted Ralph to go someplace with him or something special and Ralph didn't feel like going or doing anything that night. He just didn't feel like doing anything, and I think he talked to Jack two or three times that night and he kept calling him at home, and he woke him up a couple of times. I know Ralph felt bad about it because he felt if he had come over and gone out with Jack, maybe he wouldn't have gotten into a state of depression.

Mr. GRIFFIN. Well, didn't Ralph mention to you that Jack told him he had a gun and Jack was thinking about shooting Oswald Saturday night?

Mrs. POWELL. No; he didn't tell me that.

Mr. GRIFFIN. Don't you remember him saying that over at the Bull Pen Drive-in when you went over there?

Mrs. POWELL. No.

Mr. GRIFFIN. What do you remember him saying over there?

Mrs. POWELL. I don't remember him saying anything except that Ralph didn't have any idea that Jack was even contemplating such a thing. He didn't. I mean, I know.

Mr. GRIFFIN. How do you know that?

Mrs. POWELL. Because I know Ralph, and I know Jack, and I know that Ralph didn't have any idea, because he and Jack were very good friends, and if Ralph had had any idea at all whatsoever that Jack was planning to do something like that, he would have stopped him, or tried to stop him.

Mr. GRIFFIN. Well, don't you think if Jack did have that sort of idea, that he would have told Ralph about it?

Mrs. POWELL. Well, no; not especially, because Jack is the type of person that is not too sure what he is going to do himself, because he is not too sure that he would tell somebody that he is going to do something at such and such a time, because he is not sure himself.

Mr. GRIFFIN. What did you all talk about when you got over to the Bull Pen that morning?

Mrs. POWELL. I just went to the Bull Pen and immediately got in the car and came over here, and we went down to the city hall, and we went in.

In the meantime, George Senator came down, and they arrested him, so the lawyers came over, and Ralph called Tommy Howard, or I think Tom Howard, and we were down in the police station to see Jack and see about him, and the lawyers came in a couple of hours, and they got us out of there right away, because they said they were afraid they might lock us up too, because they had already grabbed George and put him in jail. So, they took us across the street to the office, and we were sitting there hoping that what's-his-name wouldn't die.

Mr. GRIFFIN. Did you talk to George at all that day?

Mrs. POWELL. No; we didn't see George. He was in jail. He didn't get out until that evening or that night. We were over there, and Tom Howard, I think, and another lawyer—I know Tom Howard went over and spoke to Jack. They called to see if they could, and he went and spoke to Jack, and then they came back.

In the meantime, we were watching TV and Bill DeMar got on there and said he saw Oswald in the club. And there was a Houston reporter over there asking me all kinds of questions. We were hoping and praying that maybe he wouldn't die, so we were listening to see, and he did.

Mr. GRIFFIN. Then where did you go from there?

Mrs. POWELL. Well, we left there and went back to—the drummer was over there—Bill Willis came in.

Mr. GRIFFIN. To the police station?

Mrs. POWELL. No; the lawyer's office, and there was just people milling in and out that knew Jack. They were all around.

Mr. GRIFFIN. How did Bill Willis happen to come?

Mrs. POWELL. He was down there around the police station and we saw him on the street and hollered, and he came in.

Mr. GRIFFIN. Had Bill Willis been down around the police station earlier?

Mrs. POWELL. I don't know. I saw him walking across the street. I imagine all the people came down when that happened, you know, but then we went back to the Bull Pen, I guess, and I got my car and I went home, I think. I don't remember what I did afterward. I think I went home. I did go home, yes; I did go home.

Mr. GRIFFIN. Did you take off someplace?

Mrs. POWELL. I rode with Ralph to the Bull Pen, and I got my car and went home, and I stayed there. Well, he didn't want to be bothered by reporters and all that, because they were poking around, so he went to some friend's house to stay.

Mr. GRIFFIN. How do you know that?

Mrs. POWELL. Because he called me and told me where he was going to be. He said he didn't want to be bothered with a bunch of reporters, because Ralph took it pretty hard, because he liked Jack quite a bit and he took it pretty hard. So he went over to this friend's house and he was over there, and then he went someplace else, and the FBI came and got him. And this Rose woman that worked for him, she cried and said he is like her father.

Mr. GRIFFIN. Did he call Ralph, Johnny, at the Bull Pen?

Mrs. POWELL. No; Johnny is Rose's husband. Rose was crying and called me up and was real upset, and the FBI had taken him and questioned him and wanted me to come over, and I had an interview on TV that night. She wanted me to come over there and go with her. She was crying and hysterical, so I went back to Arlington and got her, and we came to the police station, and they didn't have him down there, so we got back in the car and went down to the FBI. They wanted to talk to me, because they asked Rose, when they got Ralph, if I was with him. So I went down and he questioned me and questioned her, and we went back to Arlington. They had taken him to the Arlington police station and questioned him. So then we went home and went to bed.

Mr. GRIFFIN. When did you hear from Lynn?

Mrs. POWELL. She called me that day that it happened, sometime during the time.

Mr. GRIFFIN. What did she have to say?

Mrs. POWELL. I am not even sure that it was Lynn; whether it was Lynn or Bruce. I don't know. Just the same thing everybody was saying, "Did you know that Jack did this, and what do you think about it?" You know; what everybody asked.

Mr. GRIFFIN. Did she mention anything to you about having talked with him that morning?

Mrs. POWELL. No; I don't believe so. Gosh, it was so hard to remember, because so much happened in just such a short time, and being so involved like right here it is, it is hard to remember all those things.

Mr. GRIFFIN. Try to remember a little harder.

Mrs. POWELL. What do you want me to remember?

Mr. GRIFFIN. What she said in the conversation.

Mrs. POWELL. Well, I don't know. Something like, "Did you see Jack, or did you know Jack shot Oswald, or did you see him on TV," or something. And I said, "Yes"; like, "What do you think about it," or something. I am trying to remember something that happened on Saturday night. I knew that something was terribly wrong with Jack that Saturday.

Mr. GRIFFIN. How did you know that?

Mrs. POWELL. Because he wouldn't close the club down for any reason at all, and he was very upset. I don't remember now, but I remember making a statement to Bruce and Lynn on the way home that I didn't know what he was up to, but he was up to something. I remember making that statement, because I know him like a book. But I had no idea. I had no idea that this was the thing he was going to do, but I just knew he was going to do something. But we were discussing it on the way back. But what I thought maybe he was going to do, a lot of people figured when this thing happened that the Kennedys were going to come down and close this town up completely, you know, so we figured that, well, that is the only thing.

I figured that maybe Jack was afraid that he might be closed up or something, so he was going to stay closed until after the funeral, or something like that. But I just knew he was going to do something.

Mr. GRIFFIN. What was it that you had heard that he had said or done that made you feel that way?

Mrs. POWELL. Nothing; whenever Lynn spoke to him on the phone and when she came back and told us what he had said, and then he was real upset, but the thing that made me think that is because Jack would not close down. We begged and begged him to let us off Christmas or Christmas Day, and there was no way he was going to do it. Ralph said he wouldn't close the club down for anything.

Mr. GRIFFIN. He stayed open on Christmas Eve and Christmas night?

Mrs. POWELL. No; Ralph told him to close one day. I forget—it was more than two. We closed one or the two. I think it was Christmas Eve when he closed. Yes; it was Christmas Eve when we were closed. But I just knew he was up to something, but in my wildest imagination I didn't dream he would do that. But I figured he had some reason for closing up that way. I was just shocked too, because I happened to remember making that statement to Lynn.

Mr. GRIFFIN. What did Lynn say?

Mrs. POWELL. I don't recall that she said anything. I know we were just discussing it in general.

Mr. GRIFFIN. What about Bruce?

Mrs. POWELL. Bruce agreed with me that he figured that Jack was up to something.

Mr. GRIFFIN. What sort of guy is Bruce?

Mrs. POWELL. I don't like him.

Mr. GRIFFIN. Why is that?

Mrs. POWELL. Because he comes on like a junior jiver with a bunch of this hip talk. "Man," and this stuff, and I don't like this. And he doesn't work, and Lynn was pregnant, and he beat her up all the time.

Mr. GRIFFIN. Was he living off her?

Mrs. POWELL. Yes.

Mr. GRIFFIN. Was he prostituting her?

Mrs. POWELL. I don't think so; I really don't know. I didn't care enough to find out that much. I know she was working over here and riding with me, and he just beat on her, and her pregnant, and I don't like it. So I can't like men like that, so I don't care for him too much. As a matter of fact, I absolutely don't like him at all.

Mr. GRIFFIN. Did he come back with you in the car?

Mrs. POWELL. Back where?

Mr. GRIFFIN. Back to Fort Worth?

Mrs. POWELL. Yes; we all three went back and went to that club.

Mr. GRIFFIN. Then did you take them home?

Mrs. POWELL. Yes.

Mr. GRIFFIN. Does Bruce have a car?

Mrs. POWELL. I think they were supposed to have a car; but it was in the shop or something, because she had been riding with me.

Mr. GRIFFIN. Did you see anybody there at the club that night that works for Jack; friends of Jack?

Mrs. POWELL. What club?

Mr. GRIFFIN. The club that you went to with Lynn and Bruce.

Mrs. POWELL. No; just about everybody knows Jack. He knows so many people.

Mr. GRIFFIN. Did Bruce make any telephone calls from the club that night?

Mrs. POWELL. Not that I recall.

Mr. GRIFFIN. Did Bruce or Lynn ever say anything to you after Jack shot Oswald that indicated what they had done Sunday morning?

Mrs. POWELL. No; what did they do Sunday morning?

Mr. GRIFFIN. That is my secret.

Mrs. POWELL. Tell me so I will know everything. I know that Jack sent her some money, but I didn't find out from her.

Mr. GRIFFIN. How did you find out?

Mrs. POWELL. I read it in the papers. I know that he sent some money just before he did that. That is what it said. It said everything in the paper.

Mr. GRIFFIN. Did you see Kathy Kay after Jack shot Oswald?

Mrs. POWELL. I don't think I saw her. She came to work in Oklahoma City while I was there. She worked up there with me. But I was there 2 weeks before she came up there. She never went back to the club.

Mr. GRIFFIN. Why didn't she go back?

Mrs. POWELL. Because she didn't want to. Because for one thing, she had this boy friend that she had been going with that was a policeman, and they were going to get married, and his parents didn't know she was an exotic, and her parents didn't know she was an exotic—and there was some guy from England—reporters came to her apartment and wanted to interview her, and she didn't want her family in England to know she is an exotic dancer, and she didn't want to be involved in it.

Mr. GRIFFIN. What did she tell you about her contacts with Jack over the weekend?

Mrs. POWELL. I don't recall that she told me anything about it. She was planning on going back to work when he opened the club, but before he opened the club, he did this other thing, so she never did go back. She told Ralph that she wasn't going to come back.

Mr. GRIFFIN. How about her husband?

Mrs. POWELL. Whose?

Mr. GRIFFIN. Kathy's husband?

Mrs. POWELL. She wasn't married then.

Mr. GRIFFIN. You mean she—the guy she did marry, this fellow?

Mrs. POWELL. That is what they said.

Mr. GRIFFIN. You mean she was living with him as man and wife?

Mrs. POWELL. Yes; I guess they got married. They said they got married.

Mr. GRIFFIN. Was he up there in Oklahoma City with her?

Mrs. POWELL. No; he stayed here.

Mr. GRIFFIN. Do you have any information as to how Jack got into the basement of the police department?

Mrs. POWELL. No; but he could get in anywhere.

Mr. GRIFFIN. Do you have any information that anybody helped him?

Mrs. POWELL. No; I don't think anybody helped him. You just have to know him. He is probably a lot different now than he was, but if you had known him the way I knew him, and a lot of people knew him, he would do anything. They would have a ball game here every year, Texas-Oklahoma, and it sold out a year in advance, and all the tickets are sold the day before the game and he said, "I am going to the Texas-O.U. game."

And I said, "How will you get in?"

And he said, "I will get in."

And they are taking this guy off to jail, and as he passes by, the guy hands him the ticket, and they are selling the tickets for \$25 apiece, and you can't get them.

Mr. GRIFFIN. Do you have any information as to anything he told about what he planned to do?

Mrs. POWELL. No.

Mr. GRIFFIN. Did Ralph ever say anything which indicated——

Mrs. POWELL. Ralph did not know. I know that Ralph didn't know he was planning to do that, or Ralph would have tried to stop him. I know Ralph felt badly because Jack wanted to go out and he didn't go, and then he felt badly because he felt like if he had gone, maybe Jack would have confided in him and he could have prevented it.

Mr. GRIFFIN. How about Little Lynn?

Mrs. POWELL. She didn't know anything.

Mr. GRIFFIN. What makes you say that?

Mrs. POWELL. Because after she spoke to Jack, on the way home she didn't offer any comments or anything about why she thought he was acting that way. She didn't know any more than anybody else.

Mr. GRIFFIN. She hadn't told you that she learned anything later after she left you?

Mrs. POWELL. No; she hadn't. I don't know where she learned it from, because I took her home, and they don't have a car, and it was 12 o'clock and the buses weren't running.

Mr. GRIFFIN. I am going to ask you if this diagram, which I have previously marked as Exhibit No. 1, is a reasonably accurate diagram, if you will sign that?

Mrs. POWELL. Do you want me to sign Nancy Powell or Tammi True?

Mr. GRIFFIN. Which name do you like to sign?

Mrs. POWELL. It doesn't make any difference to me.

Mr. GRIFFIN. Why don't you sign Nancy Powell.

Mrs. POWELL (signs name).

Mr. GRIFFIN. Is there anything else, Nancy, that you think we haven't covered that might be of use to us?

Mrs. POWELL. I don't know. We've spent a lot of time here.

Mr. GRIFFIN. Who was the girl that Jack thought had class?

Mrs. POWELL. Bell Praperall, was the girl he thought had so much class. And she came up to the club the last time I saw her, and she was drunk out of her mind, talking terribly vulgar, like some streetwalker, but this girl had class. She did. But Jack made the mistake of telling her that she had class, and boy, I am telling you, she talked there around like something else, but she didn't end up with much class.

Mr. GRIFFIN. Let me ask you to do one more thing. I am going to hand you what I have marked as Nancy Powell Deposition, July 25, 1964, Exhibit No. 2. It is a copy of an interview that two FBI agents, Glenn Silvi and Dave Byerly had with you on November 29, 1963, in Oklahoma City. I want to hand it to you and ask you to read it and tell us whether that is an accurate report of what you told them on that occasion?

Mrs. POWELL (reading report). Well, I didn't say that he had never associated. We went into discussion about these carnival people, and he had some dealings with some carnival people at one time. But I mean——

Mr. GRIFFIN. You are referring to the sentence that says, "She said Ruby was

not, to her knowledge, a gambler, and to her knowledge, never associated with carnival people?"

Mrs. POWELL. Yes; because at one time he had invested in a carnival show. They asked me if I knew this Slayton, and I told him I thought I knew him. Down here it says I said that I believed Ruby formerly had an associate named Joe Slayton. They asked me if I knew Joe Slayton, and I said I thought I did, that I thought he was a partner or something at one time. I never knew Joe Slayton at all.

Mr. GRIFFIN. Let me ask you, then, if you don't have any other questions in that, to sign that.

Mrs. POWELL. I don't like the way they said that, "An acquaintance with an exotic dancer." Where do you want me to sign this?

Mr. GRIFFIN. Up at the top.

Mrs. POWELL. Right here?

Mr. GRIFFIN. Yes.

Mrs. POWELL (signs).

Mr. GRIFFIN. I am going to hand you what I have marked as Nancy Powell Deposition, July 25, 1964, Exhibit No. 3. That is a 3-page document which is a report of an interview that two FBI agents, Gary K. Wilson and Joseph G. Peggs, had with you on November 24 in Dallas.

Mrs. POWELL. I sure wish I had a cigarette. I didn't know really I was going to be up here 10 hours. Very well, where do you want me to sign this?

Mr. GRIFFIN. Sign on the first page at the top.

Mrs. POWELL (signs name).

Mr. GRIFFIN. Would you initial each of the other pages?

Mrs. POWELL (initials).

Mr. GRIFFIN. Okay. Do you have any questions, Tammi?

Mrs. POWELL. No.

Mr. GRIFFIN. I want to thank you very much for spending all this time and coming all the way from Oklahoma City.

Mrs. POWELL. Well, tonight I will hate you. A little later I will be real mad.

Mr. GRIFFIN. Are you working tonight?

Mrs. POWELL. Sure. I didn't get off until 3 o'clock this morning.

Mr. GRIFFIN. Are you going to be able to make it back?

Mrs. POWELL. I have to do three shows tonight. I will get back just in time to go to work, and I have to do three shows. I don't have to work tomorrow, though, Sunday. I am going to rest up all day and go out and see all the other people that have to work on Sunday. And I have to write a letter to the Commission.

TESTIMONY OF KENNETH LAWRY DOWE

The testimony of Kenneth Lawry Dowe was taken at 9:45 a.m., on July 25, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Texas, by Mr. Burt W. Griffin, assistant counsel of the President's Commission.

Mr. GRIFFIN. Let me state for the record again, my name is Burt Griffin, and I am a member of the general counsel's staff of the President's Commission on the Assassination of President Kennedy.

Routinely we explain to the witness before we proceed with your testimony, a little bit about what is going on here.

The President's Commission was established by virtue of an Executive order of President Johnson and a joint resolution of Congress. Under those two official acts, the Commission has been directed to investigate the assassination of President Kennedy and the death of Lee Harvey Oswald, and to report back to the President on all the facts that we find.

We have asked you to come here today in particular because you have had some contact with Jack Ruby. Of course, we are interested in anything you

might be able to tell us about any of the events and activities that we are interested in.

Under the rules and regulations that have been promulgated by the Commission, I have been specifically designated to take your deposition.

I might tell you also that under the rules of the Commission, you are entitled to receive a 3-day notice before you appear here, and that is a written notice. Do you know whether you received a notice from us or not?

Mr. DOWE. Yes; I did.

Mr. GRIFFIN. When did you receive that letter?

Mr. DOWE. Two days or 3 days ago. Three days ago, I'm sure.

Mr. GRIFFIN. Let me ask you, if we haven't complied with the 3-day written notice, are you willing to go forward anyway?

Mr. DOWE. Oh, certainly; yes, indeed; go right ahead.

Mr. GRIFFIN. Do you have any questions you would like to ask me before I administer the oath to you?

Mr. DOWE. No; not a thing in the world. It is self-explanatory, really. I am here to help if I can. I hope I can.

Mr. GRIFFIN. Would you raise your right hand and I will administer the oath?

Do you solemnly swear that the testimony you are about to give, will be the truth, the whole truth, and nothing but the truth; so help you God?

Mr. DOWE. I do.

Mr. GRIFFIN. Would you state to the court reporter what your full name is?

Mr. DOWE. Kenneth Lawry Dowe.

Mr. GRIFFIN. Where do you live, Mr. Dowe?

Mr. DOWE. 4617 Samuell Boulevard.

Mr. GRIFFIN. Where is that?

Mr. DOWE. That is here in Dallas.

Mr. GRIFFIN. Were you living in Dallas at the time President Kennedy was shot?

Mr. DOWE. Yes; I was. Just had moved here. I had been here about a month.

Mr. GRIFFIN. Where had you lived before that?

Mr. DOWE. Atlanta, Ga.

Mr. GRIFFIN. Let me back off just a second. Would you tell us when you were born?

Mr. DOWE. March 10, 1941.

Mr. GRIFFIN. What were you doing in Atlanta before you came to Dallas?

Mr. DOWE. I worked for a radio station for Esquire Broadcast, WQXI.

Mr. GRIFFIN. What did you do for them?

Mr. DOWE. I was a diskjockey at the station.

Mr. GRIFFIN. How long did you work there?

Mr. DOWE. Approximately 10 or 10½ months.

Mr. GRIFFIN. Did you have any appointments before that?

Mr. DOWE. I was here in Dallas before that.

Mr. GRIFFIN. Whom did you work for in Dallas?

Mr. DOWE. Balaban Radio Stations, KBOX.

Mr. GRIFFIN. What did you do for KBOX?

Mr. DOWE. I was a diskjockey there.

Mr. GRIFFIN. How long did you work for KBOX?

Mr. DOWE. About 9 months.

Mr. GRIFFIN. What did you do before that?

Mr. DOWE. Diskjockey in San Diego.

Mr. GRIFFIN. How long did you work as a diskjockey there?

Mr. DOWE. About 9 months. I was climbing radio markets.

Mr. GRIFFIN. What did you do before that?

Mr. DOWE. I was with WABB in Mobile, Ala., and before that I was in college at Hattiesburg, Miss.

Mr. GRIFFIN. What college was that?

Mr. DOWE. University of Southern Mississippi.

Mr. GRIFFIN. Are you a native of Mississippi?

Mr. DOWE. Yes, I am.

Mr. GRIFFIN. You have met Jack Ruby?

Mr. DOWE. I met him; yes; I think the second day I came to town. It must

have been the second day, because I was being shown around the radio stations, and I met him that day. That was when I came to KLIF.

Mr. GRIFFIN. Was anybody with you?

Mr. DOWE. Yes; Chuck Dunnaway introduced him to me.

Mr. GRIFFIN. About how long were you in Ruby's presence?

Mr. DOWE. No more than 3 to 5 minutes—3 minutes.

Mr. GRIFFIN. Did you have any occasion to hear about Ruby between that time when you first met him and the time that you came in contact with him after the President was shot?

Mr. DOWE. Yes; I did. I heard that he came around the station frequently and that he was always inviting the diskjockeys up to his club, and that if I were to go up there, he would probably give me all the free drinks I wanted and be very nice to me.

Mr. GRIFFIN. Did he ever give you a membership card or pass to the Carousel Club?

Mr. DOWE. No; not a pass. I don't recall him ever giving me anything. No; not a pass.

Mr. GRIFFIN. Is there any other reason that would give you occasion to remember your first meeting with Jack Ruby?

Mr. DOWE. None other than the fact that it was one of the first few days I was there. It was on that occasion that I met him. And also I was told that he was known around the station for procuring women for different people who came to town; record promoters. And this was a fact, and I was a little amazed at this, but nonetheless, that is what I know about him.

Mr. GRIFFIN. When were you told this?

Mr. DOWE. At the same time.

Mr. GRIFFIN. On the occasion that you first met him?

Mr. DOWE. That is the first occasion, right.

Mr. GRIFFIN. When you say procuring women—

Mr. DOWE. I mean that he would get you a date with one of his girls in the club, or a girl that he knew or something, and I was told by Chuck Dunnaway that this was a fact, and that it was his understanding that several record promotion men came to town—record promotion men are people who work for recording stations, and it is their job to see that a record is promoted, and see if they can get air place at the radio stations, and these people frequently come to town, and they have very large expense accounts, and this was the reason I was told that he furnished girls sometimes for these people and for other people, different people.

Mr. GRIFFIN. Was there anything said to you which would have led you to believe that Ruby was getting any money off of this?

Mr. DOWE. No; not at all. I hardly remember meeting the man. I only remember about what he looked like, and that his name was Jack Ruby, and that he owned a club downtown. I was pretty much preoccupied in other things at that time, and I just didn't even—it almost passed me by.

Mr. GRIFFIN. Do you remember where you were at the time you first learned that President Kennedy had been shot?

Mr. DOWE. Yes; I was driving down Central Expressway, and I was listening to the radio station. I was about 2 blocks from KLIF, and we had a bulletin on the air that said there was a possibility he may have been shot, and they didn't know and were checking further reports.

Mr. GRIFFIN. About what time was that?

Mr. DOWE. Shortly after 1 o'clock, as I remember it now. I don't know exactly what time.

Mr. GRIFFIN. Where did you proceed to after you heard that?

Mr. DOWE. I went straight to the radio station.

Mr. GRIFFIN. Did you work that day?

Mr. DOWE. I was there all day from that time until when I got off the air about 7 o'clock.

Mr. GRIFFIN. Then what did you do after you got off the air?

Mr. DOWE. I guess I went home. I usually do. I don't remember.

Mr. GRIFFIN. Were you in the Dallas Morning News downtown?

Mr. DOWE. No; I assisted the KLIF News reporter on that day, because of

the tremendous overload. I fed news stories to our radio on the phone about the assassination.

Mr. GRIFFIN. Were you in contact with your newspaper people out in the field on the 22d?

Mr. DOWE. I don't know any of them except the newsmen that work for us.

Mr. GRIFFIN. That is what I mean.

Mr. DOWE. Was I in contact with them on the 22d?

Mr. GRIFFIN. Yes.

Mr. DOWE. On the 22d of November, you mean?

Mr. GRIFFIN. The day that the President was shot.

Mr. DOWE. Oh, yes; I was.

Mr. GRIFFIN. In other words, did you have KLIF reports at the police station and Dealey Plaza that were called into you?

Mr. DOWE. No; I was strictly taking reports written by the newsmen and calling other stations in the country and giving them reports.

Mr. GRIFFIN. Where were your newsmen getting their information?

Mr. DOWE. Some of them were probably covering the assassination. I recall one was at Parkland Hospital, and some were inside the station, and they were moving in and out all the time.

Mr. GRIFFIN. Do you remember the names of the newsmen who were inside the station who were passing information on to you, passing reports on to you?

Mr. DOWE. I got one report from Glenn Duncan. I remember that Glenn gave me one report; it seems that he did. The rest of them, I wrote myself. And at that time, I think it could have been Roy Nichols, because Roy, I believe, was at Parkland Hospital.

Mr. GRIFFIN. I don't understand how you were writing the report yourself unless you were in contact with somebody who was giving you information.

Mr. DOWE. I was getting information off the wire service. We have a wire service of reports that I heard. In other words, I would listen to our report from the air, ad-lib them for the most part, and put together any statistics I needed off the unit press wire service.

Mr. GRIFFIN. Now, when you got off the air at about 7 p.m., what did you do?

Mr. DOWE. I went home. I would imagine I must have. Maybe I was around the station for a little while, but I didn't go any place besides the station and home.

Mr. GRIFFIN. Did you come to work the next day?

Mr. DOWE. Yes; that day I was—I came in, of course, early. It was about 1 o'clock. I usually am there before 2:30 or 3, and my regular shift is from 3 to 7. And that day I was there from 1 to 7. The next day probably I must have gotten there earlier. I am sure in a situation like this I would have been there earlier. What time, I don't know, but in between times I was only at the station and only at my house. The next day was Saturday, wasn't it?

Mr. GRIFFIN. That is right.

Mr. DOWE. The next day was Saturday, so I came to work at noon.

Mr. GRIFFIN. Did you go right on the air at noon?

Mr. DOWE. Yes; we didn't—there was no air work per se done by the disk-jockey. There was constant news coverage of the events that had taken place, and we were just, I was just sitting there running the control board monitor gains and things like that. Purely technical. I was on from 12 to 6. That was my shift that day, same as today, Saturday, 12 to 6.

Mr. GRIFFIN. Did you have occasion to hear from somebody that you subsequently believed was Jack Ruby?

Mr. DOWE. Yes; I did that afternoon. Honestly, it has been too long, and I have told the story so many times, that I am really not sure, so I am going to give you the facts as I remember them as of this moment. At that time I got a telephone call.

Mr. GRIFFIN. What time?

Mr. DOWE. Four or five o'clock. It seems to me in the afternoon.

Mr. GRIFFIN. How do you fix the time?

Mr. DOWE. Well, because I didn't have but a couple of hours left. I watched the clock constantly. That was part of my job. I give the time every few minutes, or after every record. And it seems that it was around 4 or 5. We

have an awful large number of commercials to be played on Saturday, and I was quite busy, and I don't remember that day having anything to do, and it was a long time, and I had been on the control board for quite a while, so I remember that I had been there for a while, and it seemed like it was around 4 or 5 o'clock. The newsman was Gary DeLaune, or something. I have forgotten.

Mr. GRIFFIN. Where was he at the time?

Mr. DOWE. He was in the newsroom sitting almost opposite me in the newsroom, and the first call I got, this person who said he was Jack Ruby said, "Do you know Gordon McLendon's telephone number?" I said, "No, sir; I don't." And he said, "Well, that is all right, because I know it anyway, but I need to talk to him." And I said, "Well, I thought he was some crank that had gotten our hot line telephone. The hot line is a DJ number and only the personnel of the radio station should know. And I said, "I don't know his number." Because we are not allowed to give numbers on the air. As a matter of fact, I didn't know his number. And he said, "That is okay, because we are good friends. I know his number, and I will call him, and this is Jack Ruby." And I said, "Fine; Jack Ruby, that is good." And I put the telephone back where it was.

A few minutes later I got another telephone call. I got two or three that day, but I am almost sure that it was three. Anyway, in the course of the next conversation or conversations, this person who said he was Jack Ruby called again and said, "I understand they are moving Oswald over to the county jail. Would you like for me to go over there and get some news stories? Would you like me to cover it, because I am a pretty good friend of Henry Wade's, and I believe I can get some news stories." And I said, "Just a minute, let me see," and I tried to talk to Gary DeLaune who was in the other room, and I said, "The news department is busy, Mr. Ruby, but if you want to help us any way you can, we will appreciate it." And I put the phone down and I turned on the intercom system and I said, "Gary, who the devil is Jack Ruby? He called me twice on the hot line, and I don't know who he was, and he said I am the guy that runs the Carousel Club down the street. I said I remember I met him when I first came up." He said, "He is just a guy that calls on the telephone and he knows everybody in town and maybe he can help us. That is good." And I said, "Okay." I had asked Gary if he wanted to talk to Jack, but that was before the same telephone call, but he was busy, and he said, "No, no," like this. He was preoccupied. So, that was when I talked to Jack and told him if he wanted to help us, he could, and that is the last I heard from him. I found out later that night that he came up and brought some sandwiches and things, but I had been gone quite a few hours.

Mr. GRIFFIN. How do you know it was later that night?

Mr. DOWE. One of the news people, I believe Glenn Duncan, said he was there. This was after Ruby had shot Oswald.

Mr. GRIFFIN. Is there anything from your own experience that would indicate whether these telephone calls from Ruby came in the afternoon before Ruby showed up in the evening, or whether the telephone calls came in the afternoon after Ruby had showed up the previous evening?

Mr. DOWE. No; I don't recall. I remember him telling me he had come down and brought some sandwiches. I thought it was at night. Glenn Duncan would know. He was there, at this time. I didn't know. At the time of the telephone calls, I didn't know anything about any sandwiches or anything about Jack Ruby. As a matter of fact, I didn't remember meeting him. I wasn't very impressed, evidently, or I would have remembered him.

Mr. GRIFFIN. When did you learn that Ruby had brought sandwiches?

Mr. DOWE. After Ruby had shot Oswald and after they were discussing it at the radio station.

Mr. GRIFFIN. Is there any question in your mind but that Ruby called you on November 23, that is, Saturday, rather than on Friday?

Mr. DOWE. I am absolutely positive it was Saturday.

Mr. GRIFFIN. What makes you sure it was Saturday?

Mr. DOWE. Because I was on the air about 4 o'clock that afternoon, and there was nothing happening, and it was the second day. It was after the

assassination, so it must have been Saturday. If he was assassinated Friday, he didn't call me Friday, because he called me Saturday. I remember going over to Chuck Dunnaway's house Sunday morning, and he said, "Ken, you should have been here a minute ago, because Ruby just shot Lee Oswald." And I said, "Who is Jack Ruby?" And he said, "Some guy that owns a club downtown." And I said, "Jack Ruby; that is the guy who called me yesterday. You must be joking." I was amazed, and I remembered he had called me yesterday, because we answered the telephone constantly. I get many calls, and I wouldn't have remembered if it had been any longer than a day or two. I would have remembered, but at that time it just hit me, and I said, "That is the guy I talked to yesterday afternoon."

Mr. GRIFFIN. You remembered on Sunday when you first heard that Ruby had shot Oswald, that it was the day before that you had talked to him.

Mr. DOWE. Yes.

Mr. GRIFFIN. When you answered the telephone on these couple of occasions, did you at anytime give your name to Ruby?

Mr. DOWE. Probably; yes. I don't remember doing it. I am sure I must have.

Mr. GRIFFIN. You don't recall Ruby calling you by name?

Mr. DOWE. No; he did not call me by name. He asked me, now I remember, when I first answered the phone, he said, "Who is this?" And I said, "This is Ken Dowe." And he said, "Is there a newsman or somebody? This is Jack Ruby." And he talked like he knew me.

Mr. GRIFFIN. In the conversation did he use your name, or don't you have any recollection?

Mr. DOWE. I don't have any recollection. I don't recall him using my name.

Mr. GRIFFIN. How much time do you think separated the first telephone call and the last telephone call?

Mr. DOWE. I couldn't honestly pinpoint it, by any definite number of minutes, but more than a few minutes. Likely less than 15 or 20.

Mr. GRIFFIN. Do you remember what you did Saturday night, the night before Oswald was shot?

Mr. DOWE. No; I don't remember what I did last Saturday night.

Mr. GRIFFIN. Did you remain at home and watch television, or listen to the radio?

Mr. DOWE. Let me see. Sometimes I did. I have forgotten. I think I gave testimony to somebody what I did. I recall there was some peculiar circumstance that—no; they asked me what I was doing Sunday morning, and I finally remembered that I had gone to Chuck's house because of the Jack Ruby thing and all, and had gone to eat some chili with them. But Saturday night, I don't remember. Probably I was at home.

Mr. GRIFFIN. Did you make any notes of your experiences on the 22d and 23d and 24th?

Mr. DOWE. None whatsoever.

Mr. GRIFFIN. Did you ever make a tape recording of what your experiences were?

Mr. DOWE. No tape recordings; no notes. The station has a 24-hour tape recording going on of the proceedings that were on the air.

Mr. GRIFFIN. We have them. We have copies of those tapes. Actually, we have the original tapes.

Mr. DOWE. I am not sure.

Mr. GRIFFIN. Do you recall when it was that you first talked with the police or Federal investigator about your experiences on Saturday?

Mr. DOWE. Yes. The first time I ever talked, I volunteered the information myself, because they called the diskjockey hot line at that time and asked what number this was, and I said, "This is Riverside 7-9316." That was our hot line number at the time. I guess it was then. But regardless, anyway, they called the hot line, because he wouldn't have answered it if they hadn't. So, he said, "This is the FBI." I don't recall the name. And he said, "We found this telephone number in Jack Ruby's possession, and we would like to know if you know anything about it, or know why he would have this telephone number." And I said, "No; I don't." And he said, "Do you know anybody down there that he knows?" And I said, "Yes; I know he knows Chuck Dunna-

way." And he said, "Well, how can we locate him. We can't find his telephone number. We have looked for him." And I gave them Chuck's telephone number. And I said, "By the way, for what it is worth, he called me the day before. I don't know if that would do you any good. I am sure it wouldn't, but if you are trying to put everything together, I wanted you to know that he did call me on the telephone."

Mr. GRIFFIN. Had the police talked with you before that?

Mr. DOWE. The police have never talked with me. The FBI and Melvin; a private investigator for Melvin Belli, I guess that is all. The police never entered into it. As a matter of fact, it may be a good idea for you to check with his private investigator, of Belli's, because I gave him a complete detailed outline of absolutely everything that I could remember that happened, and it was all fresh in my mind at the time.

Mr. GRIFFIN. Did you talk with Belli's investigator before you talked with the FBI?

Mr. DOWE. I don't know.

Mr. GRIFFIN. To refresh your recollection, the first FBI interview——

Mr. DOWE. They were separated only by a week or so.

Mr. GRIFFIN. The FBI talked with you on December 14.

Mr. DOWE. I talked with him after that. I talked with the FBI first, and they weren't too interested. I am sure it was the FBI that I talked with, and they said I gave them all the reports and everything of what I knew had happened, and I wasn't in there more than 5 or 6 or 7 minutes, and he didn't seem like it was too pertinent at the time. So, I gave them the information I had, and then I talked with this private investigator, whose name I have forgotten now.

Mr. GRIFFIN. You say you talked with the FBI at the police station?

Mr. DOWE. Yes. I guess it was the police station. I talked with a gentleman whose name was Snooky, but I don't remember his last name. It is kind of an odd name.

Mr. GRIFFIN. I am going to hand you, Mr. Dowe, what I have marked as Kenneth L. Dowe Deposition, July 25, 1964, Exhibit No. 1. This is a copy of an interview report prepared by FBI Agent John E. Dallman as a result of talking with you on December 14, 1963. It consists of one page. I am also going to hand you what I have marked as Kenneth L. Dowe Deposition, July 25, 1964, Exhibit No. 2.

Mr. DOWE. I talked to some FBI agents at the radio station. This was not too long ago.

Mr. GRIFFIN. Yes, sir. This Exhibit No. 2 is a report of an interview that two FBI agents had of you on June 3, 1964. The agents' names are Alfred C. Ellington, and Emory E. Horton. This report is three pages, and the pages are numbered consecutively and at the bottom, 38, 39, and 40. I will ask you to take your time and read these over.

I want to know first of all whether or not the reports accurately reflect what you said to the FBI on those particular dates, and whether there are any changes or corrections that you would want to make.

Why don't you start with Exhibit No. 1 and let me ask you, first of all, does Exhibit No. 1 accurately reflect there what you told them?

Mr. DOWE. To the best of my knowledge, Exhibit No. 1 is a pretty close and accurate record of what I remember, and probably it would be better to say between 2 and 5. It seems now it was around 3 or 4. It seems that, because I have—but 2 to 5 is better, and I don't remember well enough to tell you it was at any specific time. That basically is as well as I can recall what happened, on report 1.

Mr. GRIFFIN. Okay, that is Exhibit No. 1. Let me ask you to sign that up near the top where I have marked it. Right here is okay, anyplace that is conspicuous.

[Mr. Dowe signs.]

Mr. GRIFFIN. Returning to Exhibit No. 2; does that accurately reflect what you told the FBI agent?

Mr. DOWE. No, not exactly. There are several things in here that maybe

were misconstrued or they didn't understand probably, or I didn't understand the question.

Mr. GRIFFIN. Let me ask you, then, to go through it and read the portion that you feel is inaccurate, and then make any improvements upon that portion that you want to.

Mr. DOWE. In the first paragraph, it says, "Dowe advised he had never visited Ruby's nightclub and had never personally seen Ruby since that time."

I don't recall being asked any question like that. As a matter of fact, there was one occasion when I was in Dallas before, about 2 days before I left to go to Atlanta. Some friends took my wife and me out to dinner, and as a joke, we went to see one of the girlie shows, because my wife had never been there.

And we found out later, upon reminiscing, it was the Carousel, which was Jack Ruby's, so I have been there at one time.

It says, "He also advised he has never seen Ruby on the premises of the radio station KLIF since the occasion he was introduced to him."

That is true. I saw him that one time.

Now, down to paragraph 4, it says, "During this period, Ruby called the station on three occasions. However, it is Dowe's impression that Ruby identified himself by name on only the last two calls."

I don't know whether he identified himself as Jack Ruby the first time, or whether it was the last two times.

And another thing that I have stressed in each interview is the fact that I don't know whether he made two or three telephone calls, and it repeatedly says three telephone calls in his testimony. And that is only—I am just guessing. Two or three, I don't know.

Over on what is page No. 39 it says, "It is Dowe's recollection that on the occasion of the second call, Ruby inquired as to whether any of the newsmen from Station KLIF were in the vicinity of the Dallas City Hall, and on this occasion that the caller identified himself as Jack Ruby."

That is pinning it down an awful lot. I don't recall that I remember that much about it, really.

I advised the name Jack Ruby meant nothing to me, and inquired of some other employee of the station, who at this time I do not now recall.

I wasn't asked that, but I do recall Gary DeLaune is the employee I asked the question, "Who is Jack Ruby?"

Mr. GRIFFIN. Incidentally, how does DeLaune spell his name?

Mr. DOWE. Actually, DeLaune is only the name he uses on the air. I don't remember his real last name.

Mr. GRIFFIN. Do you know how it is spelled?

Mr. DOWE. I don't know either. He is an entirely different department and he is usually in a mobile news unit, and I rarely see him, and I have never taken it upon myself to know what his last name is.

I might remember it tomorrow or something. I have seen it. It is vaguely familiar. I would know if I saw it, but I have forgotten. It is different. It is not a common name.

Then I see down here on also the same page that the telephone number of the hot line at that time was Riverside 7-9319, which I remember it was. It is not that any longer.

Also, this is something that I gave you at the same time in the interview today, that may have been incorrect, because I remember now, as stated here in this paragraph: "Dowe advised that on Friday, November 22, 1963, it is his present recollection he would have been on duty as an announcer at the station 3 to 7 p.m., and being a new employee, he was present at the radio station from approximately 10 a.m. to at least 7:30 a.m."

This being true, I gave you a statement earlier that I was on my way to the radio station, and I thought it was about 10 after 1, because usually that is the time that I go in. Now, I don't remember if it was 10 after 10 or 10 after 1 but as I recall this minute, today, it was more likely 10 after 1. I don't even know what time the President was shot. I have no statistics in my head. I can't remember which was which now. It's gotten entirely too involved.

Down in the last paragraph it says, "Information previously furnished by them was possibly misleading regarding the number of visits by Jack Ruby in

the premises of the radio station. However, he is pretty positive that he has never seen Ruby at the station except on his introduction to him."

I can't remember giving anybody any report saying I had seen him several different times. I don't think I did, but I only saw him one time in the station. They had that earlier in the report to show that, really, it repeats itself, but that should make that correct.

With those corrections, that is as well as I can recollect at this time what is the actual truth of the matter.

Mr. GRIFFIN. Fine. To clarify this in your own mind, I think in the first report they had written referring to "he has been in Dallas for about 6 weeks, and after the murder of Lee Harvey Oswald, he recalled that an individual who stopped by the radio station on a couple of occasions was Jack Ruby."

Mr. DOWE. Apparently that was it. I might be misled on a couple of occasions. What I was trying to say was, that he had been by there on probably several occasions. I said a couple of occasions, but I only met him once.

Mr. GRIFFIN. Fine, I think it is clear. I certainly have no mistake after listening to the testimony as to how many times you have seen him.

Is there anything else that we haven't covered that you think we should have covered?

Do you have any other information that might be valuable to the Commission?

Mr. DOWE. Not a thing. It has been so long, that really after so many reports, I hope I haven't confused you, but I think this is it.

Mr. GRIFFIN. Let me ask you one further question, I think we neglected to ask you at the beginning. Are you presently employed with KLIF?

Mr. DOWE. Yes, I am.

Mr. GRIFFIN. All right, thank you very much. I appreciate your spending the time with us this morning.

Mr. DOWE. You are very welcome.

Mr. GRIFFIN. Nice meeting you.

Mr. DOWE. Come back and visit Dallas.

Mr. GRIFFIN. I may be back.

Mr. DOWE. It is a nice place. Thank you for letting me come this morning. I am sorry I couldn't make it this afternoon.

Mr. GRIFFIN. Would you please sign your name on Exhibit No. 2?

[Mr. Dowe signs name.]

Mr. GRIFFIN. Fine. Thank you very much. Bye.

Mr. DOWE. Bye, bye.

TESTIMONY OF T. M. HANSEN, JR.

The testimony of T. M. Hansen, Jr. was taken at 1 p.m., on July 24, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Burt W. Griffin, assistant counsel of the President's Commission.

Mr. GRIFFIN. Let me introduce myself again for the record. My name is Burt Griffin.

Mr. HANSEN. G-r-i-f-f-i-n?

Mr. GRIFFIN. That's right. I am a member of the general counsel's staff of the President's Commission on the Assassination of President Kennedy.

Mr. HANSEN. Before we begin the actual testimony, it has been our practice to explain to you very briefly what this is all about. Then if you have any questions that you want to ask before we swear you in, why do that too.

The President's Commission was established by virtue of an Executive order of President Johnson, which was issued last year in November, and also of the rules of a joint resolution of Congress.

We have been specifically directed to investigate into and evaluate and report back to President Johnson on all the facts that had to do with the assassination of President Kennedy and the death of Lee Harvey Oswald.

We have asked you to come here today in particular, because after the FBI interviewed you, when they interviewed you, you indicated that you had seen Jack Ruby on, I believe, November 22, and also that you had worked in the section near his club and were generally familiar with him. So for that reason, we have asked you to come here to testify and tell us what you can about Ruby. But also to tell us anything else that you might be able to provide on any of the other matters we are interested in.

Let me also say this. Did we send you a letter asking you to come here?

Mr. HANSEN. Yes; I have it in my pocket.

Mr. GRIFFIN. Did you receive that letter 3 days ago or longer?

Mr. HANSEN. I have been on a vacation, and it was given to me the 22d by my captain in the traffic division, Captain Thompson. I just come back from a vacation of 20 days, and I believe it was sent while I was on vacation, and they set it up.

Mr. GRIFFIN. Let me see then, under the rules of the Commission, you are entitled to receive this 3 days before we call you to testify. Are you willing to waive that 3 days?

Mr. HANSEN. I am willing to testify. I want to help you any way I can.

Mr. GRIFFIN. We ask this as a formal matter, and nobody has insisted on it. Do you have any particular questions that you want to ask me before we proceed?

Mr. HANSEN. No; I don't have any questions at all. I will try to answer anything you ask me as truthfully as I know how.

Mr. GRIFFIN. Will you please raise your right hand and I will administer the oath to you.

Do you solemnly swear that the testimony you are about to give, will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. HANSEN. I do.

Mr. GRIFFIN. Will you give the court reporter your full name.

Mr. HANSEN. I have an initial. It is T as in Tom, M. Hansen, Jr. Initial T only.

Mr. GRIFFIN. Where do you live, Officer Hansen?

Mr. HANSEN. I have changed addresses since all this occurred. At the present time I live at 1702 West Lovers Lane in Arlington, Tex.

Mr. GRIFFIN. Are you a member of the Dallas police force?

Mr. HANSEN. Yes, sir.

Mr. GRIFFIN. How long have you been with the police department?

Mr. HANSEN. I went on May 30, 1949, I believe.

Mr. GRIFFIN. What division were you assigned in November of 1963?

Mr. HANSEN. When this occurred, I was working in traffic division, in the traffic division about 11 years.

Mr. GRIFFIN. Did you have any particular assignment that month?

Mr. HANSEN. The day that the President came through?

Mr. GRIFFIN. Yes.

Mr. HANSEN. Oh, yes.

Mr. GRIFFIN. Where were you assigned?

Mr. HANSEN. I was assigned to Main and Akard, which is the corner I have been working for 11 years.

Mr. GRIFFIN. Is that near the Carousel Club?

Mr. HANSEN. That is two blocks, approximately, from the Carousel Club. The Carousel Club is on the corner of Commerce and Field, and I was working at the corner of Main and Akard the day that the President came through.

Mr. GRIFFIN. Did you know Jack Ruby before November 22?

Mr. HANSEN. Oh, yes.

Mr. GRIFFIN. How did you first happen to meet Jack Ruby?

Mr. HANSEN. Well, to the best of my knowledge, approximately in 1950 or 1951, I believe, Jack Ruby ran a beer joint that is what it was, a beer joint down here on South Ervay in the south part of town known as the Silver Spur. At that time when he was running this place, I had been working further south than that over in the colored district, and I was getting moved around. I was a young man, and a new man in the department, and I shifted around, and I went down on squad 41, which the Silver Spur was on that district, and all up and

down this street at that time, that was one of your streets where you got your characters. If they were out, they was on that street.

We worked that pretty heavy, and naturally you worked all the beer joints and these places and dancehalls, and you get a little action up and down there. And I had occasion to go in there and check those places from the 400 block all the way out to Forest Avenue, and it just happened Jack Ruby's place was in there. We checked him just like everybody, and that is when I first come in contact with Jack Ruby. I don't even recall when he bought the place, but that is the first time I ever knew him.

Mr. GRIFFIN. Since then over the years, have you had occasion to see him from time to time?

Mr. HANSEN. Oh, yes; I have seen him pass me on the street and he speaks to me.

Mr. GRIFFIN. And you recognize him?

Mr. HANSEN. Oh, yes; I knew him.

Mr. GRIFFIN. Is there anybody else that you know or have seen around Dallas who resembles Jack Ruby?

Mr. HANSEN. I imagine there is, but——

Mr. GRIFFIN. That you know of.

Mr. HANSEN. No; not that I could say looked just exactly like him. I am sure that somebody looks like him, but I don't know anybody personally that looks just like Jack Ruby.

Mr. GRIFFIN. Of course, knowing him over the years, were there some incidents in which you came to learn that Jack Ruby had a finger bitten off?

Mr. HANSEN. Yes. I answered the call the night he got in a beef down there with some fellows.

Mr. GRIFFIN. What club was that?

Mr. HANSEN. That was at the Silver Spur, the same one I referred to awhile ago. We answered the call, and there was a pretty good skirmish on the sidewalk in front. I can't think of this fellow's name, its been so long. There would be a record. The boy got a load, and I believe it was this one or this one [pointing to fingers].

Mr. GRIFFIN. Either the second or third finger on his right hand?

Mr. HANSEN. I don't recall just exactly which. I believe it was the left hand, come to think about it. I believe I remember I was shaking that hand, and I know it was hurting. The boy bit his finger and spit it out in the street.

Mr. GRIFFIN. Did you actually see the boy bite it off?

Mr. HANSEN. No. I got there after he did it.

Mr. GRIFFIN. Did you see Jack with part of the finger missing?

Mr. HANSEN. Part of it missing, and the other part just hide hanging down. And I run this old boy down the street that was the one that was supposed to bite it off, and I finally caught him. We had a fight and I got him handcuffed. That's been so long ago, I don't recall his name, but I do remember his waving that finger and blood running, and he had a pretty chewed up finger. It was just stumpy.

Mr. GRIFFIN. Did you ever come to find out what the fight was all about that provoked that?

Mr. HANSEN. Never paid much attention to that. We had stuff like that that went on all the time. It was sort of customary. If it wasn't a finger, it was an ear or something.

Mr. GRIFFIN. After Jack opened up the Carousel Club, how often did you have occasion to visit the Carousel Club?

Mr. HANSEN. Well, I never visited the Carousel Club regular or anything. I have been up there, and I would say during the time he had the Carousel Club up there, to my knowledge, maybe I went up there 9 or 10 or 12 times, I don't know, just if I had somebody come to town I knew, or some boy I had known when I was younger, we would go up there and watch the girls dance and maybe drink a beer, and have a drink or something.

Mr. GRIFFIN. In your acquaintance with Ruby, did you have any occasion to notice any kindnesses that he bestowed on people?

Mr. HANSEN. I did. Yes sir; I sure did.

Mr. GRIFFIN. Can you tell us about some of the things you recall him doing?

Mr. HANSEN. I have seen Ruby, oh, I would say, three or four times, maybe five that I can recall, give money to a woman. I mean some woman or destitute woman he would see coming down the street. One time I recall vividly, it hasn't been too long before this happened, maybe 2 or 3 months, I recall we were standing beside the Florsheim Shoe Store, talking, and he stopped and spoke to me, and there was a woman coming down the street, and I believe she had three or four children. Anyway, they were just bang, bang, bang, one right after another one, and looked worse than the wrath of God, and a milk bottle and Ruby said, "That is a shame." And I said, "Yes; it is, Jack."

And he walked across the street over there and stopped her, and I don't know what he said to her, I didn't hear him, but in the meantime, after he stopped her, I walked across over by there and he handed her a bill folded up and I couldn't swear whether it was a 10 or 20. I know it had to be one of the two, because it had a zero, and I could see that on the corner. He handed her that money and he patted her on the back and walked back.

I have seen him several times previous to that give people that are destitute and in need, give money, and I know he is bighearted. I witnessed that, I know that. And I have heard a lot of people say that he helped a lot of people. That is hearsay, but this other, I know for a fact.

This one occasion—I have seen him several other occasions—one time at the bus station he was in the bus station and this woman down there had a whole slew of kids, about the same kind, and a bunch of us passed a hat and got that gal \$40 to get her on out to California, and Jack kicked in on that, too.

Mr. GRIFFIN. Did you see him ever, or did you ever hear of his bestowing particular kindnesses on his employees?

Mr. HANSEN. I have never seen this. Now I have heard that several times employees would have hard luck of one type or another and he would send them money. And he would put a jar or a can up on the bar and people that knew about it, that knew the people, would maybe put in. There is not a doubt in my mind that if they put anything in the jar, that it went where it was supposed to go.

Mr. GRIFFIN. Did you ever have occasion to talk with Jack or observe him under any circumstances which would indicate how he felt about being sensitive to being a Jewish person?

Mr. HANSEN. Jack was what I would say was a sensitive type of man. He is an emotional man. He is for the underdog always. And since all this happened, I have heard a lot of talk. In fact, he told me one time when he was 7 years old he sold newspapers and he had a fight to stay on the corner everyday. I believe he said in Chicago. He told me that out of his own mouth. I know it was some eastern city. I am not certain about the city. I am sure it was some eastern city. We have discussed politics together. He has brought up—we have had coffee together and he has talked about President Kennedy and about President Roosevelt, and he thought they were both great men in American history.

Mr. GRIFFIN. How did he happen—would he bring this up on his own?

Mr. HANSEN. He would bring it up about what they had done for the poor people and the underprivileged, and he thought very highly of both parties, both Roosevelt and President Kennedy.

Mr. GRIFFIN. Did you have occasion to talk with him at any time after the Stevenson episode that took place here in Dallas?

Mr. HANSEN. I believe we did. Now, I am not positive. I believe we did. I don't remember too much about it, but I believe we did, something was said or something about the discourtesy that was shown him.

Mr. GRIFFIN. I started to ask you before about Ruby's sensitivity to being Jewish. Do you recall any incidents or conversations with him about that?

Mr. HANSEN. No. I wouldn't say he was sensitive to it. Now, you asked me that—we used to tell a lot of jokes to one another. I liked to kid around and joke. If I had a good Jewish joke, I would tell it as quickly to Ruby as anyone or anybody else, and Ruby would laugh at it. If he was sensitive in regard to it, he never let it show. And I would never say anything to anybody that deliberately, with the intention of hurting them due to race or anything.

I have had jokes told on policemen to me, and I figure if a fellow can't laugh at himself, there is something wrong with him. But I have never seen him take

a personal dislike to somebody for saying something about a Jew, telling a Jewish joke, or something like that. I have heard several said in front of him, and I have told him several, and he never took offense to me.

Mr. GRIFFIN. I now direct your attention to the activities of November 22. Did you work in your official capacity as a police officer on November 22?

Mr. HANSEN. The day the President was assassinated; yes, sir.

Mr. GRIFFIN. What time did you report to work that day, if you recall?

Mr. HANSEN. I believe we came in early. I don't recall just how early we came in. I know we made detail early. Of course, everybody come in, and I was in there early. We went to change clothes, and I don't recall just exactly what time we made detail offhand, but we were there early. We were told to go right to our corners and what to do and watch out for the safety of the President.

Mr. GRIFFIN. Do you recall seeing Jack Ruby at any time on that day?

Mr. HANSEN. I am not positive. When I say I am not positive, I either saw Ruby the morning before the President came in from Love Field down Harwood to Main—I either saw him the morning that—I was going to the city hall that morning before we went to the corner, or the morning previous to that, I just don't recall which. I have tried—in fact, I talked to an FBI man about it that interviewed me, and told him the same thing I am telling you. I don't remember whether it was the day before or the morning of the parade.

And Jack spoke to me. He was beside the city hall on Harwood Street, and I started to go down the steps in the basement, and he hollered, "Hi, Hans," and I hollered, "Hi, Jack." It wasn't much of a conversation.

Mr. GRIFFIN. Was he on the same side of the street as the police department, or was he across the street?

Mr. HANSEN. No; he was on the same side.

Mr. GRIFFIN. Now, as you come to the steps from Harwood Street, you can either walk down or up?

Mr. HANSEN. One of them goes up to what we call the wheel, and the other goes down in the department itself.

Mr. GRIFFIN. Both the up steps and the down steps are converged together at the sidewalk?

Mr. HANSEN. The down steps are narrow, about 10-foot wide, and the steps that go up are about 40 feet.

Mr. GRIFFIN. Along this sidewalk that stretches in front of the up and down steps, where was it that you saw Ruby? Where was he standing?

Mr. HANSEN. Well, I can draw you a little diagram.

Mr. GRIFFIN. Let me give you a sheet of paper and you just draw.

Mr. HANSEN. Maybe that would help. This is the city hall. This is a square building. This is Main Street right here and this is Harwood Street runs right here.

Mr. GRIFFIN. Why don't you mark Harwood so that we know?

Mr. HANSEN. This is Harwood and this is Main right here. Now, right here in the middle of the block, this is these wide steps that go up right here. They go up this way.

Mr. GRIFFIN. You have marked on there—I am going to sort of repeat this for the record so that the person reading can understand what is happening.

Mr. HANSEN. These are the steps right here.

Mr. GRIFFIN. You are indicating on the Main Street side?

Mr. HANSEN. No; on the Harwood Street.

Mr. GRIFFIN. But on the Main Street side of the Harwood entrance? In other words, towards Main Street there is a set of down steps that go down?

Mr. HANSEN. About 10-foot wide. They go down like this, and underneath the steps, and then you go in the doorway. You want to know where I saw Ruby?

Mr. GRIFFIN. That's right.

Mr. HANSEN. When I came across the street and turned to come down this way—

Mr. GRIFFIN. Let me state for the record, you are drawing on this map that you were on Main Street, and you walked across Harwood Street toward the police station.

Mr. HANSEN. I was walking east on Main Street across Harwood on the side-

walk and at that time I turned south on Harwood to go down to the entrance to go down in the basement of the city hall. As I approached the down steps to go down to the basement of the city hall on the Harwood Street side, I got about 8 or 10 feet from the north side of the steps and there is where I saw Jack.

Mr. GRIFFIN. Was anybody standing there with Jack?

Mr. HANSEN. At the time that he spoke to me, there was several people up and down the sidewalk, and I think there was a uniform policeman and maybe two detectives standing along there talking to one another. I couldn't tell you who it was, because I see it every day. I had no reason to make a special occasion to remember it, but I do remember there was somebody else along there.

Mr. GRIFFIN. Was Jack standing talking to them or was Jack separated?

Mr. HANSEN. He wasn't standing talking to them, but he wasn't standing far from them, or he walked up or was approaching there.

Mr. GRIFFIN. What time of day would that have been?

Mr. HANSEN. It was in the morning.

Mr. GRIFFIN. Before you reported to work, or after?

Mr. HANSEN. It was before I reported to work. I was in civilian clothes. I hadn't suited out. I didn't have my uniform on. I would say it was probably between 8:15 and 9:30.

Mr. GRIFFIN. Do you have a regular time to report for work?

Mr. HANSEN. When I go to work on a regular shift, regular hours, unless we are called in early or late, I have to be in the detail room at 9:45. Now, that means I have to be there ready to listen to the sergeant put out the poop on us and all of us come in anywhere from 8:30 until about 9 o'clock. Nearly all policemen come in like that and go to the locker room and shoot the breeze before we get ready to go out, about what happened the day before. So I would say it was probably between 8:15 and 9:30. That is as near as I can estimate it.

Mr. GRIFFIN. How long did you speak with Jack?

Mr. HANSEN. Oh, I never stopped. I just kept moving. "Hi, Jack, I got to go get ready," something like that. And I said, "See you." It wasn't much of a, like I say, it wasn't what you call a conversation. Just like a running conversation.

Mr. GRIFFIN. Is it possible that it could have been even 2 or 3 days before the President arrived?

Mr. HANSEN. No; I don't think so. I think it was either the day before he arrived or the morning that he did arrive. Now, I can't remember. I would give anything if I could, because I know it would help you folks, and I have thought about it since I talked to this FBI man 10,000 times. I am not going to say definitely what day it was. I can't say it and be right in here [pointing to self].

Mr. GRIFFIN. When did you first remember that you had seen him shortly before the President arrived?

Mr. HANSEN. I didn't even think anything about it until the FBI man asked me.

Mr. GRIFFIN. How did the FBI man happen to come out and interview you?

Mr. HANSEN. He didn't come out. He come in the city hall and I was there. I don't know whether he was interviewing everybody, and I think I said something about, I am not positive whether it was him or somebody said it. I heard so much going, it is hard to remember. Somebody said something about they had taken pictures and had seen pictures, and I don't know whether somebody took a picture and he had a picture that he saw him, or saw him come down the sidewalk. They may have got it that way. And he asked me if I had seen Ruby, and I sit there and thought about it, and he wanted to know if I had seen Ruby that day or the day before, and I told him I had seen him on the sidewalk.

I believe I said the last time, and I thought back and that is the last time I saw him. I didn't see him or hear anything about it until I was home in Arlington and it come out on the radio. My mother lives up there and I was at her home or in my home, and I walked up to her house and she said, "Have you heard what happened?" And I says, "What happened?" And she said, "A fellow killed Oswald." Then that is when I heard about it. I didn't know anything about it until then. I don't think she even knew that I knew Ruby then, but when she found out I did, she got all shook up and excited.

Mr. GRIFFIN. Is there any particular thing that you did on the day that you saw Ruby which you associate in your mind with the President's arrival, or the day before the President's arrival?

Mr. HANSEN. I have tried so hard to think of something that would make me know definitely which day it was. I have tried everything in the world to think of something that would make me think of something that would make me sure of what day it was, and I swear I can't for the world of me.

I have thought of everything in the world of what I did, and I just had no reason to remember all this. If I had a reason, naturally that stuff would roll right back to you, but when you have no reason to remember, it is kind of hard to remember.

Mr. GRIFFIN. Let me ask you, after the President passed the place that you were stationed on Main Street, what did you do?

Mr. HANSEN. I stayed right there.

Mr. GRIFFIN. Did you remain on duty the rest of the day?

Mr. HANSEN. I remained there until 6 o'clock, about 10 minutes to 6 that evening.

Mr. GRIFFIN. What did you do that night?

Mr. HANSEN. I guess I went home. I don't even remember. Yes; I went home.

Mr. GRIFFIN. Where were you living at that time?

Mr. HANSEN. At the time the President was shot, I was living at 1107 Mort Terrace, Arlington.

Mr. GRIFFIN. Did you work on Saturday?

Mr. HANSEN. No; Saturday and Sunday is our regular days off. I have an extra job on Saturday. I think I come to work that following Saturday at my extra job.

Mr. GRIFFIN. Where were you working?

Mr. HANSEN. I believe, if I am not mistaken, I don't always work on Saturday, I worked three or four Saturdays, and then lay off and let another fellow work. I work at H. L. Green's, which was formerly a 5- and 10-cent store. Now it is a dollar and 5-cent store. Kind of slow down stealing, and I believe I worked there that following Saturday.

Mr. GRIFFIN. Did you have occasion to—do you know George Senator?

Mr. HANSEN. Yes; I knew George.

Mr. GRIFFIN. Did you have occasion to see George Senator at any time on November 22 or November 23?

Mr. HANSEN. I know I didn't see him on the 22d. Now, I may have seen him on the 23d. The reason I wouldn't remember this—let me go into this and clear it up with you all.

George sold postcards and novelties of various things to drug stores and places, and he had a little red, I think it was, a Volkswagen, and he replaced these postcards in the Walgreen Store at Main and Akard, and also one in the Adolphus Hotel. He used to come around the corner and we had a parking place where if you loaded or unloaded a truck, could park, but not passenger cars. And George used to pull in and he would service this rack with the postcards. It was very few days that George's truck wasn't in there sometime during the morning peddling his stuff around that end of town, so he may have been there the day before the parade.

I wouldn't have any reason to remember that particularly, because I saw the truck so much.

Mr. GRIFFIN. The day after the parade is what I am talking about.

Mr. HANSEN. The day after the parade would be Saturday?

Mr. GRIFFIN. Yes.

Mr. HANSEN. Saturday I am not down on that part of town. When I come up to H. L. Green, it is up on the next corner of Ervay and Main, and I wouldn't have noticed.

Mr. GRIFFIN. You don't remember seeing George on Saturday, George Senator?

Mr. HANSEN. I might have seen him. Now, he comes down there and eats at the Eatwell Restaurant, and also to the Chefette on the side of the Adolphus Building. In fact, I have had coffee with him. Didn't have any reason not to. But whether I saw him that day or not, I am trying to remember whether I did or not—I may have saw him, but I couldn't say for sure. I don't think so.

Mr. GRIFFIN. Do you know any of Ruby's employees? Let me sort of run down—Tammi True?

Mr. HANSEN. The stripper. Well, I know them when I see them.

Mr. GRIFFIN. Do you recall seeing Tammi True on Friday or Saturday before the President was shot?

Mr. HANSEN. Not that I recall.

Mr. GRIFFIN. How about Little Lynn?

Mr. HANSEN. I don't think on Friday or Saturday that I saw any of the strippers that I would recognize, or if they may have been out on the streets in civilian clothes, but I just noticed them when they were in their act, and they look a little different when they are out dressed up.

Mr. GRIFFIN. You don't work—you say your day off was Saturday. Did you have occasion to go downtown at all Saturday night?

Mr. HANSEN. I get off—I may have. I may have. Let's see. Saturday night back when the President was assassinated, I believe they had Saturday night fights. They were having them then on Saturday nights.

Mr. GRIFFIN. Do you recall—are you a fight fan?

Mr. HANSEN. I used to always watch Saturday night fights, and I know a few nights that I watched them from Saturday to Friday, I used to go down to a beer joint and watch the fights on every fight night, and I don't hardly miss a fight if I can help.

That and the Untouchables is about all I look at. If they were having fights on Saturday night, I may have left my job after I got off and went down to the place on Poydras Street. And if they were having the fights—if they haven't, I couldn't tell you what it was.

Mr. GRIFFIN. Let me just ask specifically if you recall seeing Little Lynn on Friday or Saturday?

Mr. HANSEN. No, sir.

Mr. GRIFFIN. Do you recall seeing Kathy Kay on Friday or Saturday?

Mr. HANSEN. I don't recall seeing any of them; no, sir.

Mr. GRIFFIN. Do you know Ralph Paul?

Mr. HANSEN. Ralph who?

Mr. GRIFFIN. Paul, Ruby's financial backer. Ralph Paul.

Mr. HANSEN. I am satisfied I have seen him, but I couldn't tell you what he looks like, and I wouldn't recognize him. I have heard of him, but as far as knowing him or ever having coffee or talking to him, not to my knowledge, no, sir.

Mr. GRIFFIN. One other thing I would like to do is, I am going to mark for identification a copy of the FBI interview report that they prepared after talking with you on November—

Mr. HANSEN. Can I read that?

Mr. GRIFFIN. I want to give it to you. I am going to mark it and I will hand it to you and you can read it.

Mr. HANSEN. All right.

Mr. GRIFFIN. It is a four-page report. It is numbered at the bottom pages 31, 32, 33, and 34, and I am going to mark on the top of the first page here, "T. M. Hansen, Jr., Deposition July 24, 1964, Exhibit No. 1."

Take your time and read it and if there are any additions or corrections that you want to make in there, feel free to make them.

Mr. HANSEN. This is a report that this fellow from Wisconsin took from me, this FBI man?

Mr. GRIFFIN. His name is Dallman.

Mr. HANSEN. Yes, he is a nice fellow.

Mr. GRIFFIN. While you are reading that, I will dictate for the record that I am also marking the diagram which Officer Hansen has drawn for us. "T. M. Hansen, Jr., Deposition July 24, 1964, Exhibit No. 2."

Mr. HANSEN. One thing I want to call to your attention. On this second page—you asked me about his Jewish background and here he says in this statement, it says he considered Ruby to be a fairly emotional individual and recalled that on one occasion at the Silver Spur Club, Ruby hit a man who made a derogatory remark concerning his ethnic background.

I believe that he has made a little error in here. I told him, this FBI man, that this did not happen at the Silver Spur. I may have said the Silver Spur, but I am wrong.

Just before President Kennedy was assassinated, Ruby was in the Burgundy Room, which is located off the lobby of the Adolphus Hotel and it is a cocktail room, and it is run by an individual, and there was nothing said about his Jewish background. Well, there may have been, too. I don't know, but what some fellow, I don't know who he was—I heard this, and Ruby even told me that he knocked the hell out of him. This guy got up and called him a queer, and Ruby really slaughtered him. I believe he is capable of it, because I have seen him go and he is a little fat boy—

Mr. GRIFFIN. Is that the same night he had his finger bit off?

Mr. HANSEN. Yes. I don't recall whether it was that same night that I saw him fight before, but when we pulled up, he had two down as big as I, and he gave me—

Mr. GRIFFIN. How about the fight with the four?

Mr. HANSEN. That happened out in front of the Silver Spur, but this is the year before this. This occurred in the Burgundy Room. I didn't witness this. This is hearsay, but I know it happened, because I heard it from too many people.

I don't know whether he called Jack a queer or a Jew queer, but Jack made him a new set of teeth.

Mr. GRIFFIN. I take it you are not sure whether this was in reference to his Jewishness.

Mr. HANSEN. That is what I am trying to get over. I don't know for sure whether Jack told me what he said. I know he said he called him a queer. Jack told me that out of his own mouth.

I don't remember whether he said "He called me a Kike queer," or something like that. He might have said that, or maybe said, "Jew queer." I don't recall exactly, but I do remember the queer part of it, and Jack said, "and nobody would talk to me like that."

Mr. GRIFFIN. Jack seemed to be very concerned that people would think that he was a homosexual?

Mr. HANSEN. Yes.

Mr. GRIFFIN. Was that your experience with him?

Mr. HANSEN. Just like I told this man, he never come out and asked me direct. He kind of fished around.

I said, "Do you want me to tell you what I think is a homosexual" and he said, "I didn't ask you." And I said, "Well, you are fishing. If you want to know what I think, I don't. I still don't."

And I wouldn't say that about anybody I didn't know. I would have to witness an act or to see it about a man or have somebody I knew who wouldn't lie one bit have to tell me.

And if he was, which I have no reason to believe he was—I know being a policeman I have come in contact with all kinds that play the female role and the male role. I can show you several of those muscle boys, big and stout and tough, what we classify as masculine type.

I have had ahold of several, and they are hard to get in custody. I have no reason to ever say that about Jack. I have heard it said. I have heard it several times said, but a lot of things are repeated that are not so.

Like I say, at night, I worked that district. I would come by there after everybody is out of his joint, and his front door would be open, and he would be icing out his beer. I would walk up to the door and see if the boy was doing anything and would go in, and several times nobody would be in there with me.

He never made any motion that would be wrong, and as long as I knew him, he never said anything to me that would indicate that in any way, or anyone that I have known that knew him.

Mr. GRIFFIN. What was it that indicated to other people that made other people say this about him?

Mr. HANSEN. Well, you asked me why I think somebody said that, is that the question?

Mr. GRIFFIN. Yes.

Mr. HANSEN. Jack talked—as long as he lived, he never got away from the Yankee accent. Nothing personal.

Mr. GRIFFIN. I don't think the Yankees have an accent. It's the Southerners.

Mr. HANSEN. Well, you know what I mean. Jack was kind of a talker and he would be talking to you, and maybe he would stop and wouldn't say anything for a couple of minutes, and then he would start off and run words, and it was hard to keep up like that. But he talked in a high pitched voice of which a lot of homosexuals also have that tone to their voice.

I think you will agree that you see a lot of people talk like that, but there is indications when you see people talk, and there is no doggone thing—he had that high pitched voice and if he got excited or nervous or something, then that would get worse, that pitch to his voice. He is the kind of fellow if, and of course, policemen are kind of hardhearted—a kid, when I see them hurt, it hurts me, too, but I can pick up a kid and it would hurt, but I wouldn't cry unless it was my kid. But Ruby was the emotional type of man, and I am satisfied, if he had to do it, I am satisfied he would cry over something like that.

Mr. GRIFFIN. Have you ever seen him cry?

Mr. HANSEN. I sure have.

Mr. GRIFFIN. When have you seen him cry?

Mr. HANSEN. I have seen him cry, and fight and cry, and fight and cry after. He would fight and cuss up a storm and cry. He is very emotional.

As long as the chips are down, he had to go, and then kind of break down. That is his reaction. I have seen that.

Mr. GRIFFIN. What would he be crying about?

Mr. HANSEN. Well, I don't know. I never have cried like that. I don't know why he would cry, unless I guess we are all emotional people. Some people control their emotions, and other people can't.

We have all got'a breaking point. Some of us go longer than others, and I guess he is that kind that gives way and shows his emotions more than other people.

I can't recall offhand seeing a man that was as good a man as he was physically. But as far as emotional, he would go from one extreme.

Ruby is a little potbellied man. They say he has lost a lot of weight. Jack did calisthenics regularly. It was a religious thing with him. He did so many setups and so many pushups, and he will tell you about it. He did 125 pushups.

And I am satisfied, because when you get hold of him, he was a lot more man than his size would indicate, and I am satisfied he did breathing exercises, and he believed in that.

He used to get on me all the time and say, "You are getting too much belly. You got to get that off."

He had a lot of heart. I mean, that is my personal opinion. He had a lot of heart.

I think the old boy—this is just my personal opinion in knowing him—I think his background and the way he was raised and where he was raised, I don't think he had everything. Everybody was trying to kick him down, and he had to scratch hard for everything he got.

And like I said, he is for the underdog all the way. If he saw somebody that was down, he would reach down in his pocket and help. He is just that kind of man.

Also, I think Jack would like to have amounted to something. He would have liked to have been respected or looked up to. He would like to help his social status.

Mr. GRIFFIN. Did he ever say anything to you that indicated that?

Mr. HANSEN. Well, not directly, but in conversation with him, he could tell he would like to get up. He would like to be somebody. He was an ambitious man, and yet he was humble. He was humble.

He knew in his own mind that he didn't have the education to be where he would like to be, but still he wanted to be there. That is the impression I got from knowing him the short period of time I have known him.

Mr. GRIFFIN. I appreciate your telling us all that.

Mr. HANSEN. Well, that is just my personal opinion. That is the picture I got of Jack Ruby.

Mr. GRIFFIN. You have known him since 1949?

Mr. HANSEN. No. I went to work in 1949. I have known him since—I am not going to say positive. I believe he bought that place about 1950 or 1951, to the best of my knowledge. I don't remember.

Mr. GRIFFIN. How many times a year would you have seen him since then?

Mr. HANSEN. Of—gosh, maybe—it would be hard to say—maybe I would go 2 or 3 months and may not see him, and maybe I would see him 3 or 4 or 5 times a week coming down the street.

Mr. GRIFFIN. Were their times when you would spend as much as an hour with him?

Mr. HANSEN. I doubt if there would be that much time. I think about, as long as I have spent with Jack would be—I may have sat and had coffee with him 15 minutes.

I think one day he come over to the Florsheim Shoe Store. I had bought some shoes, I had some made, and they were a width and a half sole, and I was telling how good they felt on my feet. And Jack got to looking at them and said, "They look good. I am going to get a pair." And he went in and had, I believe, at that time—I don't know whether they had a manager named Reed there or the man was named Kelly, I forget which was there.

Anyway, Jack went in and they measured him for a pair. He liked the ones I had on. They were dress shoes, and I tried to break them in on the corner.

Mr. GRIFFIN. At the time you visited the Carousel socially, he would come and sit down?

Mr. HANSEN. No. I would say maybe I would go in and stay an hour or 2 hours, but he was always busy. Maybe he would come over to the table and say, "You want anything, Hansen?" And several times I went in there and I would have a setup or something, and he wouldn't let me pay, and tell the girl, "That is on the house." I don't mind telling you that, because I have been a lot of places and people do the same thing.

I never went with the intention—anywhere I go I can pay my own fare, but sometimes people do that. I went down to the restaurant the other night, carried my wife, and we had a nice dinner, and he told me "That was on the house." He wouldn't let me pay for it. But like I say, I go in there and eat, I guess I have been in there six or eight times, and I have always paid. That is the first time it ever happened.

Mr. GRIFFIN. When you went to the Carousel Club, would Jack come over and sit at the table?

Mr. HANSEN. No; he never fraternized with his customers outside of being polite and greeting you and that. I mean, as far as coming over and sitting with you and shooting the breeze, to my knowledge, he didn't do that.

Mr. GRIFFIN. Let me ask you, is there anything else in Exhibit No. 1 that you have been looking at that you feel should be corrected?

Mr. HANSEN. Well, there was something else I saw in here, and it was about this day thing that we was trying to discuss about what day it was, and I see here—

Mr. GRIFFIN. The last page?

Mr. HANSEN. I think it is the third page. I think it is on this one. Ruby was standing on the north side—that is what I just told you—of the entrance directly to the side of the stairway which leads to the basement. He said there was four or five individuals. I think awhile ago I told you there were three. I know there were a few. I may be a little bit off. I am trying to get it just about as true as I can remember it—standing at this time. He is not certain whether or not they were police officers.

I believe they were police officers, or there was two of them. I know there was a uniformed man in civilian clothes, and I think they were detectives. I believe they were. He felt that the crowd was apparently gathered at that time in anticipation of the fact that President Kennedy would be driving through the downtown section.

I am not doubting that man's word. That is just what I told him. If that is what I told him, that would indicate to me that it was on that morning.

Mr. GRIFFIN. But did the crowd gather as early as 8:15 for the President's motorcade?

Mr. HANSEN. Well, to my way of thinking, I would say you asked me a direct question. Every parade that I work, I work so many parades downtown, usually any kind of parade, if it is like you start at 10 o'clock, your colored people come, they are the first ones, because they are going to have a front row. Before anybody comes to work, they are down there. Then you got the ones that, the mommas that haven't washed the dishes, and then the poppas, and I am satisfied it was that same way that day. But from this here, to me, that would indicate that that was that same morning.

Mr. GRIFFIN. Did you have a clear recollection at that time that it was that morning, or were you just surmising?

Mr. HANSEN. I don't, but I do recall this—I don't have a clear recollection now, but you know, there is a little concrete thing around the city hall up there about this high, and they got some flowers in there, and on a normal day, just any regular run-of-the-day week, I mean a day in the week, you wouldn't find anybody sitting on that thing unless it is men that work for the schools and get their paychecks. I do recall there were four or five people, come to think about it. I remember they were spotted. Maybe a guy sitting here, and there.

Mr. GRIFFIN. The fact that there were four or five people, that makes you think it was the day of the motorcade?

Mr. HANSEN. Well, a normal day, like I said, Monday through Friday, there wouldn't be anybody sitting on there unless it was a day that the old men come down to get their paychecks.

Mr. GRIFFIN. Would that have been on Thursday?

Mr. HANSEN. It would have been more than four or five, because I can't help but remember because they blocked the whole sidewalk and spit snuff.

Mr. GRIFFIN. Is there anything that makes you think it was the day of the President's motorcade?

Mr. HANSEN. Nothing else that I can remember outside I do remember there was several people sitting on that, which is unusual unless there is something going on.

Mr. GRIFFIN. Would you be willing to say positively that it was the day of the President's motorcade?

Mr. HANSEN. No; I wouldn't just make a flat statement, because I don't feel like I can. I am not that positive. But like I say, an ordinary day, unless there is something going on, ordinarily there wouldn't be anybody sitting on that little stone railing around there.

Mr. GRIFFIN. In your mind, is there just as much chance that it could have been the day of the motorcade or is there just as much chance it could have been the day before the motorcade, as the day of the motorcade.

Mr. HANSEN. No. The fact that there were some people sitting on the rail around there would indicate, it would make me lean toward the day of the parade. But I am not going to make a flat statement it was the day of the parade. But it would make me kind of think maybe it was that day. That is as good as I can give it to you.

Mr. GRIFFIN. The reason I am asking you questions like that is so we can evaluate whether we should make a flat statement about it or how we should treat it.

Mr. HANSEN. I don't want to make a flat statement, because I can't connect anything in my heart, but it would make me think it was, due to the fact the people were sitting on that thing.

Mr. GRIFFIN. I appreciate that.

Mr. HANSEN. I am trying to help you.

Mr. GRIFFIN. I appreciate your frankness on it. Let me ask you if you are satisfied that this report otherwise is an accurate report of what was said.

Mr. HANSEN. Let me show you. Everything but here. I think I remember telling him this, but I think that he—I am not trying to put it off on him, because he isn't here, but I think the FBI man got this Silver Spur Club mixed up with the Burgundy Room, or else I meant the Burgundy and told him the Silver Spur, but this is where it happened. And I am sure if you check through it further, that you can find out that this actually occurred about this remark about this boy calling him a queer and Jack knocking him down.

Mr. GRIFFIN. I think it is clear enough that the record she is typing up here

will show all the corrections that we have talked about here, and that is what we are trying to do, is get that into the record. Let me ask then, if you will, if you are satisfied that other than what you have pointed out as being incorrect, that this is an accurate report of what you told them, I will ask you to sign.

Mr. HANSEN. I think it is pretty accurate. Where do you want me to sign it?

Mr. GRIFFIN. Sign it up where I have marked it, anywhere in a conspicuous place.

Mr. HANSEN. Sign this Timothy? Occasionally people call me Tim, but I don't know where he got Timothy. It is plain T-i-m.

Mr. GRIFFIN. Let's cross that out.

Mr. HANSEN. Let me ask you, do the other policemen sign these things?

Mr. GRIFFIN. Yes. If you don't want to, it is simply a formality that we go through, and if you would prefer not to sign—

Mr. HANSEN. Have any of the rest of them preferred not to?

Mr. GRIFFIN. No; there haven't been any that declined to.

Mr. HANSEN. I have no reason not to sign. I will put it that way.

Mr. GRIFFIN. The only reason we are doing is to establish for people later on.

Mr. HANSEN. You want me to sign each page?

Mr. GRIFFIN. If you will, just initial the other sheets. We are simply trying to establish for our own record that the documents that we have been talking about is actually the document that winds up in the record.

Mr. HANSEN. I have helped you as much as I possibly can, and I was figuring you would call me up and were going to ask me about the parade, and all I can tell you is, I saw that the parade got through and he didn't get hurt, and I believe it would have broke my heart if something had happened to him, because I never was so glad. It is just like a man took a hundred pounds off his back. And before he got there, of course, people ran and I was sweating blood, and I was afraid of something, but when he got through there, it was just like somebody took a heavy load off you.

And when I heard about what happened, I couldn't believe it. I couldn't, like everybody else. A man came from the stock exchange and whispered in my ear, and I knew he was either drunk or lying, and I knew he didn't drink. But I realized then, I began to—I guess you have a dull feeling in your mind that you realize the President had been shot.

Then when you put the two together and hear all the sirens, you knew it actually happened. A policeman—because he's got an instinct about it. The first siren I heard, I said, "Well, that is bad, but I saw one on Akard and a man don't drive that way unless he is going to another officer or something real bad. I had a bad feeling, or actually I didn't think—I thought somebody may have tried something, and it never entered my mind that he actually had been hurt.

Then when that fellow told me, it was awful. I never will forget that day. I never saw people look like that, walking around like a bunch of mummies. It is hard to even talk about it now.

Mr. GRIFFIN. Officer, I appreciate your taking all this time.

Mr. HANSEN. I hope I have helped you, and if I can do anything else for you, let me know.

TESTIMONY OF DAVE L. MILLER

The testimony of Dave L. Miller was taken at 8:50 a.m., on July 25, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Burt W. Griffin, assistant counsel of the President's Commission.

Mr. GRIFFIN. I will introduce myself again. My name is Burt Griffin, and I am a member of the general counsel's staff of the President's Commission on the Assassination of President Kennedy.

We have a routine procedure before we actually take the testimony, of explaining to the witness a little bit about what the Commission is attempting to do.

The Commission was set up pursuant to an Executive order of President Johnson, issued on November 29, 1963, and a joint resolution of Congress.

Under these two official acts, the Commission has been directed to investigate the assassination of President Kennedy, and the death of Lee Harvey Oswald, and to evaluate all the facts they find and report back to the President of the United States.

Now, the reason that we have asked you to come here today in particular is that you have known Jack Ruby for a period of time, and we are hopeful that you can give us some insight into the kind of person he was, and also some information concerning his activities shortly before Oswald was killed.

Under the rules of the Commission, I have been designated to take your deposition specifically. Also, under the rules of the Commission, you are entitled to receive a 3-day written notice before we ask you to appear here. I believe we sent you a letter?

Mr. MILLER. Yes.

Mr. GRIFFIN. Do you remember when you received the letter?

Mr. MILLER. I moved from where I was. The letter was sent, and the landlady called me Tuesday, and I went by the post office to get the letter which had been sent special delivery, and the mailman carried it, and I received it on Wednesday. But prior to that, Mrs. Stroud called me and notified me I was to appear up here this morning, and I have the letter at home. I called her and told her I had received the letter.

Mr. GRIFFIN. Do you have any questions you would like to ask me before we go ahead with the testimony?

Mr. MILLER. No; you just go ahead and ask me the questions, and I will answer them as truthfully as I know, and what I told the FBI when they were here.

Mr. GRIFFIN. Will you raise your right hand?

Do you solemnly swear that the testimony you are about to give, will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. MILLER. I do.

Mr. GRIFFIN. Would you give us your full name?

Mr. MILLER. Dave L. Miller.

Mr. GRIFFIN. Where do you live, Mr. Miller?

Mr. MILLER. 5323 Live Oak, Apartment 105.

Mr. GRIFFIN. Is that in Dallas?

Mr. MILLER. Yes, sir.

Mr. GRIFFIN. How long have you lived in Dallas?

Mr. MILLER. Since 1918.

Mr. GRIFFIN. What is your occupation?

Mr. MILLER. I have a cleaning and pressing shop on Commerce Street.

Mr. GRIFFIN. What is the name?

Mr. MILLER. Enquire Shine & Press Shop.

Mr. GRIFFIN. What is the address of that on Commerce?

Mr. MILLER. 1322 Commerce.

Mr. GRIFFIN. How far is that from the Carousel Club?

Mr. MILLER. About three doors.

Mr. GRIFFIN. When were you born?

Mr. MILLER. May the 26th, 1909.

Mr. GRIFFIN. You know Jack Ruby, don't you?

Mr. MILLER. Yes, sir.

Mr. GRIFFIN. How long have you known Mr. Ruby?

Mr. MILLER. Approximately 3 years.

Mr. GRIFFIN. How did you first happen to meet him?

Mr. MILLER. He had taken over the Carousel Club and brought some clothes for me to clean for him.

Mr. GRIFFIN. Did you have occasion to see him fairly regularly after that?

Mr. MILLER. He would bring his clothes in two or three times a week.

Mr. GRIFFIN. Did there come a time when Jack Ruby asked you to put up a sign for him, or do some other advertising for him?

Mr. MILLER. Yes, sir.

Mr. GRIFFIN. When was that, if you recall?

Mr. MILLER. That is when he first changed his club into the striptease. He had some little, you call them little pages of folders—not folders, but advertising, and I just put them up for the public.

Mr. GRIFFIN. Was it newspaper advertising?

Mr. MILLER. No; he had them printed himself.

Mr. GRIFFIN. Handbills?

Mr. MILLER. Handbills; yes.

Mr. GRIFFIN. Did you put them in your store window, or on the walls, or what?

Mr. MILLER. We put them in the window at that time. Later on, Mr. Ruby fixed a stand and we had pictures of that type on it, and I put it in my window at night.

Mr. GRIFFIN. Did Mr. Ruby pay you anything for doing that?

Mr. MILLER. He has at times, would give me something. Sometimes \$5, just like an accommodation thing.

Mr. GRIFFIN. Did you ever have occasion to talk with Mr. Ruby about any of his problems that he was having?

Mr. MILLER. No; he never mentioned anything to me about his problems.

Mr. GRIFFIN. Did he ever have occasion to talk with you about his competition, the Weinstains?

Mr. MILLER. When he first changed to striptease, he did.

Mr. GRIFFIN. What did he tell you, if you recall?

Mr. MILLER. Well, it seemed that the Weinstains didn't want him to have a striptease, and he was going to show them he was going to stay in the business. That was the only thing that he said anything about the Weinstains.

Mr. GRIFFIN. Did Jack Ruby tell you that the Weinstains didn't want him to have the place, or did you hear from some of the Weinstains, or some place else?

Mr. MILLER. Jack Ruby told me himself.

Mr. GRIFFIN. What hours is your shine and press shop open?

Mr. MILLER. I am there from 6 in the morning until 6 at night.

Mr. GRIFFIN. Is that 6 days a week?

Mr. MILLER. Yes, sir.

Mr. GRIFFIN. Do you remember seeing him sometime before he shot Lee Harvey Oswald?

Mr. MILLER. Well, of course, I would see him almost every week, but prior to the time of Lee Oswald, the day the President was killed, he come in the place around 5:30, I imagine, and I had been putting the sign in the window, and he asked me not to put the sign, because he wouldn't be open until after the funeral.

Mr. GRIFFIN. How do you estimate that it was 5 or 5:30?

Mr. MILLER. It was late in the evening, because it was pretty close to my closing time.

Mr. GRIFFIN. Could it have been earlier than 5 o'clock? Could it have been as early as 3:30 or 4 o'clock?

Mr. MILLER. No, sir.

Mr. GRIFFIN. What makes you say that?

Mr. MILLER. Because, like I say, it was late in the evening, and I was getting ready to close up, because we start getting the shine stand cleaned and was going through that procedure at that time.

Mr. GRIFFIN. You say you were putting the sign in the window?

Mr. MILLER. Yes, sir.

Mr. GRIFFIN. What sign were you putting in the window?

Mr. MILLER. Well, he made a stand and put pictures of the girls and who was the master of ceremonies, might have been, and, of course, he has that at the Carousel Club.

Mr. GRIFFIN. Did you put the sign in the window every night, or did you leave it up all the time?

Mr. MILLER. Take it down during the day, and put it up at night.

Mr. GRIFFIN. Any particular reason why you took it down during the day?

Mr. MILLER. It was in the way.

Mr. GRIFFIN. I see. Did you have any sort of routine as to when you would put the sign up?

Mr. MILLER. Put it up just before closing time.

Mr. GRIFFIN. Would that have been later than 5:30 in the evening?

Mr. MILLER. No, sir.

Mr. GRIFFIN. You say that with a positive voice.

Mr. MILLER. Because I know it could have been no later, because he had come in there about 5 or 5:30, about the time he was in there.

Mr. GRIFFIN. Is there any question in your mind but that this was on November 22, the day the President was shot?

Mr. MILLER. It was on November 22; yes, sir.

Mr. GRIFFIN. What else did Jack Ruby say to you on that occasion when he came into your shop?

Mr. MILLER. He come in and says, I feel he had been crying because his eyes were real red, and he said, "What do you think of that s.o.b. killing the President?"

Mr. GRIFFIN. What did you say?

Mr. MILLER. I told him it was a dirty shame that the thing had happened.

Mr. GRIFFIN. How long did Jack remain there talking to you?

Mr. MILLER. Just less than 5 minutes.

Mr. GRIFFIN. Did he mention to you anything about where he had been that day?

Mr. MILLER. No, sir.

Mr. GRIFFIN. Did you see him before he walked into the shop? That is to say, did you see him walking down the street to your shop?

Mr. MILLER. No, sir; because where our cash register is back in behind, I couldn't see him walking.

Mr. GRIFFIN. When he left your shop, did you see what direction he went when he went out the door?

Mr. MILLER. No, sir; didn't pay him any mind.

Mr. GRIFFIN. Did Jack tell you where he was going when he left?

Mr. MILLER. No, sir.

Mr. GRIFFIN. Did you see him again after that?

Mr. MILLER. I saw him Saturday night approximately the same time.

Mr. GRIFFIN. How did you happen to see him on that occasion?

Mr. MILLER. He come in the place that evening.

Mr. GRIFFIN. What did he say when he came into the shop that evening?

Mr. MILLER. Nothing I can remember. He said he was coming in to ask me how I was feeling, that is all.

Mr. GRIFFIN. How long did he remain?

Mr. MILLER. Just a very short time. Maybe 2 or 3 minutes.

Mr. GRIFFIN. Did he say anything to you about what he had been doing?

Mr. MILLER. No, sir.

Mr. GRIFFIN. Did he give you any indication of where he was going?

Mr. MILLER. No, sir.

Mr. GRIFFIN. Did he have anybody with him at that time?

Mr. MILLER. He was by himself.

Mr. GRIFFIN. Now, the first occasion that he came in on Friday, did he have anyone with him on that occasion?

Mr. MILLER. No, sir; he was by himself at that time.

Mr. GRIFFIN. When he came in on November 22, the day that the President was killed, was there anybody else in the shop?

Mr. MILLER. Well, the shine boys and the pressers, and I think one of the boys was shining a man's shoes. Just don't remember exactly.

Mr. GRIFFIN. Have you talked with the boys in the shop about Jack having been in there on those two occasions?

Mr. MILLER. You mean since I got this letter?

Mr. GRIFFIN. No; since November 22.

Mr. MILLER. No; I haven't said anything to them. Of course, one boy has been with me a long time. He would remember him coming in.

Mr. GRIFFIN. Which boy is that?

Mr. MILLER. Sam Hicks.

Mr. GRIFFIN. Have you talked to Sam to know whether he does actually remember?

Mr. MILLER. I haven't said anything to him.

Mr. GRIFFIN. Doesn't your brother—isn't there another Miller? Is that your brother?

Mr. MILLER. Yes, sir.

Mr. GRIFFIN. Izzie Miller, have you talked to him? Does he remember?

Mr. MILLER. He doesn't stay around too much at the place down there.

Mr. GRIFFIN. Do you know whether he was present on these two occasions?

Mr. MILLER. No, he wasn't there them two times; no, sir. He had had a heart attack, and he takes it easy, so he won't come down too much.

Mr. GRIFFIN. Do you think any of the other employees besides Sam Hicks might have seen Jack on that occasion?

Mr. MILLER. Well, you know them shine boys, they come and go, and I would have to go back and look in my book I keep on them as to who was working at that time.

Offhand, I couldn't say. But I know Sam Hicks was working at that time.

Mr. GRIFFIN. The FBI report of the interview that they had with you some time ago indicates that Jack wrote you a letter while he was in jail and mentioned both Sam Hicks and another one of your shoe shine boys, Dwayne Armstrong. Dwayne Armstrong is a brother of the boy that used to work for Jack Ruby, isn't he?

Mr. MILLER. Yes.

Mr. GRIFFIN. Was Dwayne working there at the time; November 22 and November 23?

Mr. MILLER. I couldn't really say. I would have to look it up. I wouldn't want to say yes, and I wouldn't want to say no. I wouldn't remember.

Mr. GRIFFIN. Is Dwayne still working for you now?

Mr. MILLER. No, sir.

Mr. GRIFFIN. I am going to mark for the purpose of identification a copy of an interview report that was prepared by FBI agent, Edmond C. Hardin as a result of talking with you on January 3, 1964. I am going to mark it, "Dave L. Miller, deposition of July 25, 1964, Exhibit No. 1."

This document consists of two pages numbered consecutively at the bottom pages 37 and 38, and I will hand it to you and ask you to read it, and then what I would like to know is whether that accurately reflects what you told the FBI on that occasion, and also if you have any changes that you would make in that?

[Mr. Miller reads report.]

Mr. MILLER. I told you about 5:30. There is only one thing I noticed there. He says, "Ruby appeared in Miller's place of business at 5:30 on November 23" when he dropped in and asked me not to display the sign of the Carousel Club. He had done that on the 22d.

Mr. GRIFFIN. Do you remember that he also did it on the 23d?

Mr. MILLER. I don't remember whether he did it on the 23d, but I definitely know it was on the 22d.

Of course, I might have made a mistake and told him the 23d, but I definitely know the 22d.

Mr. GRIFFIN. Have you seen Jack Ruby in any fights?

Mr. MILLER. No, sir.

Mr. GRIFFIN. Has Jack ever talked to you about any of his sensitivity, the things that he objects to, or any of his personal ideas?

Mr. MILLER. No, he never said anything.

Mr. GRIFFIN. Is there anything else that you can think of that you know about Jack Ruby that you would want to tell us that we haven't covered?

Mr. MILLER. The only thing I know was, he was a darn good customer to me, and he was very good to all the boys around there.

In fact, I was sick in the hospital and he come to see me one night. And he would always ask how I was getting along, and even called the hospital how I was getting along.

So, it was surprising to me that he would do anything like that.

Mr. GRIFFIN. Do you remember any other kindnesses that he bestowed on people?

Mr. MILLER. Well, I know during the wintertime he would bring coffee down to the boys in the two garages. There is a garage on each side of me.

And if he went off from the place, he would always bring sandwiches.

He would give the shirt off his back. If you needed a dollar and he had a dollar, he would give you the last dollar.

The boys would tell me at the garage that he brought the sandwiches.

Mr. GRIFFIN. Do you know George Senator?

Mr. MILLER. Yes, sir.

Mr. GRIFFIN. Did you see George Senator on November 22 or November 23?

Mr. MILLER. No, sir.

Mr. GRIFFIN. Do you know Ralph Paul?

Mr. MILLER. I think I met Ralph Paul after the President was killed. He come in one day, I believe it was something to do, I think, with the Carousel Club. I don't know exactly.

Mr. GRIFFIN. Do you know Tammi True?

Mr. MILLER. No.

Mr. GRIFFIN. Do you know Little Lynn?

Mr. MILLER. No, sir. If I knew them—if I saw them, I didn't know who they were.

Mr. GRIFFIN. How about Kathy Kay? Do you know his dancer Kathy Kay?

Mr. MILLER. The only one I knew was the heavy body. I don't know her name—what the heck is her name? I don't remember that. I didn't know her personally, but I knew her for I had seen her a time or two.

Mr. GRIFFIN. Did you know an entertainer named Breck Wall?

Mr. MILLER. No.

Mr. GRIFFIN. Do you remember Larry Crafard? Do you remember this boy Larry that worked for Jack about 6 weeks before the President was shot?

Mr. MILLER. I might know him, but the name don't ring a bell. I can't recall. The names don't ring no bell, that is all.

Mr. GRIFFIN. Do you remember if you saw Andy Armstrong on November 22 or 23?

Mr. MILLER. Yes, sir.

Mr. GRIFFIN. When did you see Andy?

Mr. MILLER. He come down just prior to Jack's coming down.

Mr. GRIFFIN. On which day?

Mr. MILLER. The 22d.

Mr. GRIFFIN. About how much time elapsed between the time that Andy came down and the time that Jack showed up?

Mr. MILLER. Approximately 30 minutes.

Mr. GRIFFIN. Did Andy come into your shop?

Mr. MILLER. Yes, sir.

Mr. GRIFFIN. Did he come in to talk to his brother, or what did he come in for?

Mr. MILLER. He come down to tell me not to—he advised me not to put the sign in at first, that Jack wasn't going to operate that night.

I imagine he knew Jack was going to come down, so he come in ahead of Jack and told me not to put the sign out that night.

Mr. GRIFFIN. But you say that when you saw Jack, you were putting the sign in the window anyhow on Friday night?

Mr. MILLER. No. After Andy had come down and told me not to put it.

I never put the sign, but just about the time we closed the door, because it has to fit in a certain place, but opening and closing the door, it would be in the way.

Mr. GRIFFIN. Maybe I misunderstood what you said at the beginning. I thought you said when you saw Jack on Friday night, you were just about to put the sign in the window?

Mr. MILLER. No. He asked me, the time I saw Jack, I told you about 5:30, because we were cleaning up.

In shining the shoes, the boys would drop dressing, and they take it and wipe it off, and they started about 5:30 wiping it off, so when we leave, it would all be clean.

Mr. GRIFFIN. Did you see Andy Armstrong on Saturday?

Mr. MILLER. I don't remember.

Mr. GRIFFIN. I haven't any more questions. I want to thank you for coming in and being so helpful to us.

Is there anything else that you would like to say?

Mr. MILLER. There isn't anything I know.

Mr. GRIFFIN. All right, thank you very much. Nice to have met you, Mr. Miller.

One thing, I want to ask you to sign the interview report that I have marked as Exhibit No. 1. If you would sign it up near where I have marked it, and if you would also put your initials on the second page.

[Mr. Miller signs and initials.]

Mr. GRIFFIN. Fine. Thank you very much.

Mr. MILLER. Thank you.

TESTIMONY OF NELSON BENTON

The testimony of Nelson Benton was taken on July 7, 1964, at 300 Oil and Gas Bldg., 1100 Tulane Avenue, New Orleans, La., by Mr. Leon D. Hubert, Jr., assistant counsel of the President's Commission.

Mr. HUBERT. This is the deposition of Mr. Nelson Benton. Do you have a middle initial?

Mr. BENTON. Well, my first name is Joseph but I just use Nelson.

Mr. HUBERT. Mr. Benton, my name is Leon Hubert. I am a member of the advisory staff of the general counsel of the President's Commission on the Assassination of President Kennedy. Under the provisions of Executive Order 11130, dated November 29, 1963, the joint resolution of the Congress No. 137, and the rules of procedure adopted by the Commission, and in conformance with that Executive order and that joint resolution, I have been authorized to take this sworn deposition from you.

I state to you that the general nature of the Commission's inquiry is to ascertain, evaluate, and report upon the facts relative to the assassination of President Kennedy and the subsequent violent death of Lee Harvey Oswald. In particular to you, Mr. Benton, the nature of the inquiry today is to determine what facts you know about the death of Oswald and any other pertinent facts you may know about the general inquiry and about Jack Ruby and his operations and associates as to his movements on the dates of November 22 through November 24, 1963.

Now, Mr. Benton, normally a witness is given a 3-day written notice before his deposition is taken, in accordance with the rules of the Commission governing the procedure, but the rules also provide that a witness may waive any notice and have his deposition taken, by request, at any time.

In the instant case, no letter has been written to you or no request to appear, but as I understand it, you waive all notice and are willing to have your deposition taken now, this morning?

Mr. BENTON. That is right.

Mr. HUBERT. All right. Now, will you be sworn, please?

(Nelson Benton, a witness called by the President's Commission on the Assassination of President Kennedy, having been first duly sworn, was examined and testified as follows:)

Mr. HUBERT. Will you state your full name, please?

Mr. BENTON. My full name is Joseph Nelson Benton, B-e-n-t-o-n.

Mr. HUBERT. I understand, however, that in your profession you do not use the name Joseph but are known as Nelson Benton.

Mr. BENTON. That's right.

Mr. HUBERT. Where do you normally reside?

Mr. BENTON. 3201 St. Charles.

Mr. HUBERT. That's apartment 301?

Mr. BENTON. Apartment 321, I believe.

Mr. HUBERT. Apartment 321? What is your occupation, Mr. Benton?

Mr. BENTON. I am a correspondent for CBS News.

Mr. HUBERT. How long have you been a correspondent for CBS News?

Mr. BENTON. I have been employed by CBS News for 4 years. I have been a correspondent since February. I'll clarify that. Correspondent is a title. I have been a reporter for CBS News since 1960.

Mr. HUBERT. And what was your occupation prior to that, sir?

Mr. BENTON. I was a reporter for a television station in Charlotte, N.C.

Mr. HUBERT. Now, Mr. Benton, I am inquiring this morning about the events of November 22 through November 24, 1963 in Dallas, in particular connection with the death of President Kennedy and the death of Lee Harvey Oswald, and the connection of Jack Ruby with the latter event. Is it a fact that you were assigned as a correspondent for CBS to cover the Presidential visit to Dallas on November 22?

Mr. BENTON. That is correct.

Mr. HUBERT. When did you arrive there, sir?

Mr. BENTON. I arrived on Thursday, November 21.

Mr. HUBERT. Now, where were you when the President was shot?

Mr. BENTON. I was at television station KRLD, which is located, I believe, on Camp Street.

Mr. HUBERT. Now, after the President was shot and after his death, where did you go?

Mr. BENTON. I went to Parkland Memorial Hospital.

Mr. HUBERT. How long did you stay there?

Mr. BENTON. Approximately 2 hours. A little less than 2 hours.

Mr. HUBERT. Would you state for the record, please, approximately when you got there and approximately when you left?

Mr. BENTON. I arrived at the hospital at approximately 1 p.m. central standard time. I would guess that I left around 2:30 or 2:45 central standard time.

Mr. HUBERT. Do you know a Scripps-Howard reporter or correspondent by the name of Seth Kantor?

Mr. BENTON. I do not.

Mr. HUBERT. Now you, of course, subsequent to November 22, saw and identified and could now identify a man by the name of Jack Leon Ruby, is that correct?

Mr. BENTON. I certainly could.

Mr. HUBERT. Did you see him at Parkland Memorial Hospital—

Mr. BENTON. I did not.

Mr. HUBERT. On the 22d?

Mr. BENTON. No, sir.

Mr. HUBERT. Did you remain in any particular place at Parkland or did you move around?

Mr. BENTON. I moved around from the emergency entrance, where I talked to Senator Yarborough—Senator Yarborough was in a car about three cars behind the Presidential car—that was the first spot to which I went. The second spot was a pressroom which had been set up, which, I believe was a nursing classroom. That's the spot at which the announcement of the President's death was made. The other place to which I went at the hospital was the nurses' quarters, which is across the street about 100 yards, and my purpose in going there was to get to a pay phone since all the phones leading to the hospital were jammed up at the time.

Mr. HUBERT. Would you tell us about what time you left Parkland to go to the nurses' home?

Mr. BENTON. Well, this was not to go and stay. This was a shuttle. I went over there several times. The first time I went was after interviewing Senator Yarborough, which I would guess to be shortly after 1 p.m. The next time I went was after Mr. Kilduff had announced that the President was dead.

Mr. HUBERT. Could you tell us the circumstances under which that announcement was made?

Mr. BENTON. Yes, sir. There was a room with, I would guess, 40 to 50 reporters in it. Mr. Kilduff came in and yelled to everybody to be quiet and sit down. He said, "I have to announce that the President of the United States died at approximately 1 p.m. central standard time of bullet wounds in the

head. I have no further details." His statement was a little more complete. I think he said President John F. Kennedy.

Mr. HUBERT. At approximately what time was that?

Mr. BENTON. Right at 1:30 central standard time.

Mr. HUBERT. Can you fix that by reason of some event that stays in your memory?

Mr. BENTON. I looked at my watch and tried to compute the time, or was looking to see how fast we had been advised.

Mr. HUBERT. Had you been told previous to the announcement by Mr. Kilduff that there would be an announcement and to congregate at that time and place or how did it happen?

Mr. BENTON. Someone suggested we congregate there. A Wayne Hawks, who is a White House aide, a civil service person, he suggested we all move up there. There had been a large number of people congregated around the emergency entrance.

Mr. HUBERT. And that suggestion by Mr. Hawks was made at what time?

Mr. BENTON. I can only say between—some time between 1 p.m. and 1:30. I don't know exactly.

Mr. HUBERT. But it was after you had spoken to Senator Yarborough?

Mr. BENTON. That's correct. Senator Yarborough was the first person that I spoke to when I arrived at the hospital.

Mr. HUBERT. And that was 1 o'clock, you said, approximately?

Mr. BENTON. I can only guess. Approximately 1 o'clock.

Mr. HUBERT. Then you went across to the nurses' home to make your telephone call and came back and it was after that the announcement was made to congregate? Perhaps we can approach it this way: Do you remember how long you had been in the room, after the announcement by Mr. Hawks?

Mr. BENTON. Not very long. I would say 10 minutes.

Mr. HUBERT. So that backing off of 1:30, it would be fair to say Mr. Hawks must have announced that the correspondents should collect about 1:20 or somewhere—

Mr. BENTON. Mr. Hawks did not say gather at any time. I just recall his saying: let's go up. We set up a pressroom. Something to that effect.

Mr. HUBERT. And that would have been about 1:20 or some time—

Mr. BENTON. I would guess; yes.

Mr. HUBERT. Now, after you left Parkland Memorial, where did you go?

Mr. BENTON. I went to the jail.

Mr. HUBERT. And then after that, where did you go?

Mr. BENTON. I think I returned to KRLD.

Mr. HUBERT. At what time did you first go to the Dallas City Jail Building?

Mr. BENTON. It was some time in the evening of Friday, the 22d.

Mr. HUBERT. You were not there in the afternoon at all?

Mr. BENTON. I was not there in the afternoon when the arrest—

Mr. HUBERT. When you say evening, of course, you mean after nightfall?

Mr. BENTON. I would guess around 7 or 8 o'clock in the evening.

Mr. HUBERT. How long did you stay?

Mr. BENTON. I stayed until after midnight.

Mr. HUBERT. Now, did you see Jack Ruby at any time during the period you have just stated, from 8 to midnight, on the night of the 22d at the Dallas City Police Jail?

Mr. BENTON. I did.

Mr. HUBERT. You did not know him at the time, is that correct?

Mr. BENTON. No.

Mr. HUBERT. How do you associate the man you now know to be Ruby as a man that you saw?

Mr. BENTON. Because of something he said. Well, I told the FBI the man was wearing a white on white shirt, and we—I hadn't seen many reporters wearing white on white shirts. It was—

Mr. HUBERT. You mean a white tie on a white shirt?

Mr. BENTON. No; I mean a white shirt with white figures embroidered—what appeared to be embroidered figures in the shirt. I noticed him because of something he said to District Attorney Wade. I believe it was. Wade was discussing

the political background of Lee Oswald and Wade said something to the effect, and this is not a direct quote, "Well, I think he's a member of that Free Cuba group;" whereupon, Jack Ruby corrected Wade and said, "No, it's the Fair Play for Cuba and there's a great difference between the two and I wanted to point that out."

Mr. HUBERT. Did Wade acknowledge that correction?

Mr. BENTON. Wade said, "Well," something like that. His answer is not clear in my mind.

Mr. HUBERT. Where did that take place? I mean, what part of the jail?

Mr. BENTON. To the best of my recollection, it occurred in what is called the assembly room, which is a room to which Oswald was taken that night to make a statement to the press. And to the best of my knowledge this occurred after Oswald had been in and—

Mr. HUBERT. Left? Do you know what time that was?

Mr. BENTON. Some time between 11 o'clock and midnight.

Mr. HUBERT. Now, the FBI report of the interview with you on December 1, 1963, indicates that Ruby's comment in regard to the difference between "Free Cuba," and a "Fair Play for Cuba," was made to correct Chief of Police Curry, whereas you have stated now that it was made to Mr. Wade, the district attorney.

Mr. BENTON. I don't recall saying that it was Chief Curry. I recall it was—

Mr. HUBERT. But you now remember it was made to correct Wade's remark and not Curry's remark?

Mr. BENTON. That is correct.

Mr. HUBERT. Did you see Ruby prior to that time?

Mr. BENTON. No, sir; I did not.

Mr. HUBERT. Did you see him after?

Mr. BENTON. Yes, sir.

Mr. HUBERT. I mean on the 22d.

Mr. BENTON. No, sir.

Mr. HUBERT. Now, when you did see him on the 22d, and your attention was brought to him by the remark that he made, what was he doing?

Mr. BENTON. What was he, Ruby, doing?

Mr. HUBERT. Yes.

Mr. BENTON. I don't recall, sir. A number of reporters were talking to Wade.

Mr. HUBERT. He was in the room with them, is that right?

Mr. BENTON. He was in the room.

Mr. HUBERT. Had you seen him at all before that remark in that room?

Mr. BENTON. No, sir. My attention was concentrated on Oswald at the time.

Mr. HUBERT. Now, did you see Ruby on Saturday, November 23, at any time?

Mr. BENTON. I don't recall seeing him then.

Mr. HUBERT. Were you in the jail, the Dallas jail, during any time on Saturday, the 23d?

Mr. BENTON. Yes, sir. As I recall, I was there most of the day.

Mr. HUBERT. Now, passing to Sunday, November 24, I think you had mentioned heretofore to the FBI that you had an interview with Chief of Police Curry?

Mr. BENTON. That's correct.

Mr. HUBERT. About what time was that?

Mr. BENTON. I have to space these things back according to specific events. I would guess it was some time between 9 and 10 a.m.

Mr. HUBERT. Well, let's start it this way. What time did you get there on Sunday morning?

Mr. BENTON. I think about 8:30.

Mr. HUBERT. And you went right up to the third floor?

Mr. BENTON. That is correct.

Mr. HUBERT. By the way, did you have any identification?

Mr. BENTON. Yes; I did.

Mr. HUBERT. Were you challenged?

Mr. BENTON. I was.

Mr. HUBERT. I take it from what you have told us that during the period, November 22 through 24, 1963, you went in and out of the jailhouse and the third floor on quite a number of occasions?

Mr. BENTON. That is true.

Mr. HUBERT. Were you challenged at all times or once or twice?

Mr. BENTON. Not directly challenged. For purposes of the President's visit, press passes that you pin on your jacket were issued in Dallas. I had one of those, which had been issued me prior to the President's arrival, which I wore.

Mr. HUBERT. Did you wear that at all times in the period in question?

Mr. BENTON. I wore that at all times. On Sunday, the security at the police department and jail was far more strict than it had been on the previous 2 days. There were times when I was asked to show additional identification. I don't remember specifically which times, but on the morning of Sunday, November 24, when I entered the jail, I was stopped, asked to show identification, and for the purpose I showed a Department of Defense accreditation which has my name and picture on it issued by the Department of Defense. And my name was taken at the time by a plainclothesman, of course.

Mr. HUBERT. Where did that occur?

Mr. BENTON. That occurred on the street floor of the police department. Not the basement, but what I presume you would call the main floor.

Mr. HUBERT. You mean by the elevators or—

Mr. BENTON. In the vicinity of the elevators; yes, sir.

Mr. HUBERT. On which side? Commerce?

Mr. BENTON. I entered the building from—let's see. Is it Main Street and Commerce Street or Commerce Street and Main? At any rate, I entered from the—I believe it's Main, Commerce, and Harwood that bound the city jail, and I think I entered from the—

Mr. HUBERT. Let me put it this way. If a person is in the jailhouse and is looking toward Harwood he will find Commerce on his left and Main on his right.

Mr. BENTON. Well, I entered, then, from the Commerce Street side.

Mr. HUBERT. And it was there you were challenged as to your identity?

Mr. BENTON. That's correct; yes, sir.

Mr. HUBERT. Now, you mentioned a distinction between the security measures you observed on Sunday and those that you observed on the previous days and I wonder if you could tell us a bit more about that. I think you said that it was much tighter or something like that.

Mr. BENTON. It was tighter to the extent that a plainclothesman, who was in the company of another plainclothesman, not only asked to see my credentials but wrote my name down at that time, and I presume the name of my association.

Mr. HUBERT. Well, did you see, on the previous days, anybody going in without any kind of identification? In and out?

Mr. BENTON. No, sir; I did not.

Mr. HUBERT. Well, now returning to the interview with Curry, which you said occurred between 9 and 10, was that interview with Curry by you alone or was the interview of Curry by several news persons?

Mr. BENTON. As I recall, this particular one was either by me, alone, or perhaps one other network reporter.

Mr. HUBERT. Where did that take place?

Mr. BENTON. It took place in the large anteroom into which Chief Curry's office adjoins.

Mr. HUBERT. Was this taped in any way? Was it a radio or television interview?

Mr. BENTON. Yes, sir; it was television, and, to my knowledge, I think it was taped. I don't know whether it was broadcast live or taped. I did not have direct communications with New York. That was through the truck. I merely relayed; I have something, and I was given a cue to go, and what disposition they made of it; I don't know.

Mr. HUBERT. I understand. This was what station again?

Mr. BENTON. Sir?

Mr. HUBERT. What television station?

Mr. BENTON. This was KRLD. We had employed the facilities of KRLD, and, of course, it was—we were all doing the same thing. It got to a point there was no distinction between us and their people. We were all working together.

Mr. HUBERT. So that interview was actually a live interview of Curry with you doing the questioning?

Mr. BENTON. It was on a live camera. Whether it was broadcast live, I don't know.

Mr. HUBERT. But you, doing the questioning, I presume you were on the screen, or were both of you on the screen?

Mr. BENTON. Both of us were on the screen, I presume.

Mr. HUBERT. Now, you just simply asked Curry for that interview and got it? Is that it?

Mr. BENTON. That's correct.

Mr. HUBERT. How long did it last, do you remember?

Mr. BENTON. Probably 5 minutes.

Mr. HUBERT. Now, I assume there is a tape available on that; but, anyhow, can you tell us the general nature of what was said?

Mr. BENTON. The general nature, as I recall it—the only specific reason that I did the interview was to point out that Chief Curry had planned to bring an armored car to the—as I recall it now, the Commerce Street side of the jail, in which to transport Oswald to the county jail.

Mr. HUBERT. In other words, you had the information that an armored car was going to be used and you wished to have an interview to develop that, is that correct?

Mr. BENTON. That's correct.

Mr. HUBERT. How did you learn there was to be an armored car used?

Mr. BENTON. For the life of me, I can't tell you. I picked it up.

Mr. HUBERT. Did you see it?

Mr. BENTON. I did.

Mr. HUBERT. And was this interview of Curry before you saw it or afterwards?

Mr. BENTON. I think probably it was before.

Mr. HUBERT. In other words, you heard there was to be an armored car, then you interviewed Curry, and then, later, you saw the armored car?

Mr. BENTON. That's correct.

Mr. HUBERT. Did Curry tell you why an armored car was going to be used?

Mr. BENTON. His answer was; this is not—something to the effect that—this is not an ordinary prisoner. We want to take every security measure we can.

Mr. HUBERT. Now, I think perhaps you stated—what you have given to the FBI, in their report in the interview of December 1, is that this was at 9 o'clock. And I believe you told us a few moments ago it was somewhere between 9 and 10.

Mr. BENTON. That's correct.

Mr. HUBERT. You can't fix it any closer?

Mr. BENTON. No, sir; I don't think I can fix it any closer.

Mr. HUBERT. Do you recall whether Chief Curry had made any announcement on Saturday night, November the 23d, as to the movement of Oswald the next day?

Mr. BENTON. Chief Curry said something to the effect that; if you fellows are here by 10 o'clock, you'll be all right. I heard no announcement saying that Lee Oswald would be moved at 10 o'clock.

Mr. HUBERT. At the time of the interview with Curry on the 24th, did he state at that time when Oswald would be moved?

Mr. BENTON. To my knowledge, to my recollection, he did not say a specific time.

Mr. HUBERT. How long after this interview ended did you leave the third floor to go down, wherever you did go?

Mr. BENTON. Mr. Hubert, I could only guess. This was a time during which we were guessing ourselves, and I really don't know. I think—

Mr. HUBERT. Let's put it this way. After the interview with Curry was over, where did you go? Do you remember?

Mr. BENTON. I think I may have gone down to Commerce Street where our mobile unit was located. I think I may have gone down there several times and returned. But I would not be able to say at what time or how long I stayed at a given place. I circulated between the third floor, the mobile unit we had located on Commerce Street and the basement entrance to the jail.

Mr. HUBERT. Where was your mobile unit located?

Mr. BENTON. It was located on Commerce Street, right outside the building, the old municipal building.

Mr. HUBERT. Could you name some of the people who were connected with the mobile unit?

Mr. BENTON. The director was a man by the name of Lee Webb. One of the cameramen's names was English, I believe. Harold English. I'm not sure. These are not CBS employees. They were KRLD employees.

Mr. HUBERT. KRLD is what city?

Mr. BENTON. Dallas; it's owned by the Times Herald.

Mr. HUBERT. Did you see another mobile unit belonging to another TV station along in there?

Mr. BENTON. Yes, sir; I did.

Mr. HUBERT. How far away?

Mr. BENTON. As I recall, it was adjacent to ours.

Mr. HUBERT. Was there a crowd on Commerce Street at that time?

Mr. BENTON. Not a large crowd; no, sir.

Mr. HUBERT. Do you recall seeing a crowd on the opposite side of Commerce Street?

Mr. BENTON. Yes; a small crowd. Less than 100 people.

Mr. HUBERT. They were controlled by police; were they?

Mr. BENTON. There seemed no need for control. I'm sure there were some police out there but—

Mr. HUBERT. Well, in the area of your mobile unit, I take it that there were not many people congregated?

Mr. BENTON. That's correct.

Mr. HUBERT. It was fairly clear? There were some police personnel and that was about it?

Mr. BENTON. That's right.

Mr. HUBERT. I understand, too, from what you said, that between the time of your arrival there at 8:30 until the time of the shooting, which was somewhere around 11:20, that you commuted, as it were, from the jail down to your mobile unit?

Mr. BENTON. Not from the jail; no, sir. I was never in the jail itself.

Mr. HUBERT. I mean the jail building.

Mr. BENTON. Right. From the third floor to the mobile unit.

Mr. HUBERT. And how many times do you suppose you commuted in that way?

Mr. BENTON. It's only a guess. I would say at least four or five times.

Mr. HUBERT. Now, at any time that you did so commute, did you see the man that you have subsequently come to know as Jack Ruby in that area?

Mr. BENTON. No, sir; I did not.

Mr. HUBERT. Now, where were you at the time the actual shooting occurred?

Mr. BENTON. I was in the mobile unit.

Mr. HUBERT. How long had you been there?

Mr. BENTON. Less than 10 minutes.

Mr. HUBERT. Where did you come from?

Mr. BENTON. I had come from the third floor of the building.

Mr. HUBERT. Why did you leave the third floor to go to the mobile unit?

Mr. BENTON. I had an indication from someone, and I cannot say who because I just don't recall, that the move was imminent.

Mr. HUBERT. How did that indication come to you?

Mr. BENTON. It could have come from another reporter. It could have come from a police official. I don't know. It may have just come from instinct.

Mr. HUBERT. Did you see any movement that indicated that something like that was imminent?

Mr. BENTON. I guess I saw more lack of movement. There weren't many people on the third floor.

Mr. HUBERT. And theretofore there had been?

Mr. BENTON. So that could have triggered an instinct. I don't know. I had stayed up there because earlier I had asked Huffaker, H-u-f-f-a-k-e-r, who is a reporter for KRLD—it had been decided that he would stay at the jail entrance and I would stay in the mobile unit where I could see what all of our cameras

were picking up, rather than only on one scene. I knew that he was at the basement entrance to the jail and I knew that we were covered there. Consequently, I felt free to roam, to a certain extent, and pick up information.

Mr. HUBERT. Do you remember about what time it was that the movement of the press people on the third floor began?

Mr. BENTON. No, sir; and I don't think it was any unanimous thing at all. I think it was just strictly moving around.

Mr. HUBERT. Let's put it this way. I understand there was quite a crowd of people there, say an hour before the transfer?

Mr. BENTON. That's true.

Mr. HUBERT. And then 10 minutes or so before you left, the crowd had cleared out considerably?

Mr. BENTON. That is correct.

Mr. HUBERT. Do you remember any announcement or any statement by anyone that Oswald would be moved by use of the basement ramps?

Mr. BENTON. No, sir; I don't. I think this may have been something that we assumed since we knew that there was a basement entrance to the jail which connected to an elevator. I think we assumed he would be moved by some sort of vehicle. There were some of us who were not convinced the armored car was going to be used, and, as I later found out, there was no intention of using the armored car, which later I was told.

Mr. HUBERT. Now, at the time you left, which you stated was roughly 10 minutes before the shooting occurred, did you see any movement in Captain Fritz' office to indicate that movement was imminent?

Mr. BENTON. No, sir.

Mr. HUBERT. Did you see Oswald, particularly, in Captain Fritz' office at that time?

Mr. BENTON. No, sir; I did not see Oswald at all on the morning of the 24th. The only place I saw him was on a television screen.

Mr. HUBERT. Were you able to observe whether the detectives from the bureaus were leaving their offices to go down to the basement area?

Mr. BENTON. I don't recall specifically noticing that. I do recall on one of my trips that there was a large number of people congregated at the basement entrance and—

Mr. HUBERT. Which basement entrance?

Mr. BENTON. This is the entrance in which Oswald was shot.

Mr. HUBERT. Oh, you mean—

Mr. BENTON. The ramp.

Mr. HUBERT (continuing). The corridor that goes through the little jail office from the elevator?

Mr. BENTON. It doesn't go through the jail office, sir.

Mr. HUBERT. Well, there is a corridor—

Mr. BENTON. There's a corridor that leads from, I believe, the spot where you pay traffic tickets that leads out—

Mr. HUBERT. Swinging doors and then the corridor and then it leads into the basement ramp?

Mr. BENTON. That's right.

Mr. HUBERT. Which goes both ways, to Main and to Commerce. There is some indication that at 10 o'clock on Sunday morning, that there was an expectation as to a time when Oswald would be moved. Do you recall anything about that, sir?

Mr. BENTON. No, sir; I don't. I may have heard it at the time but I remember no official announcement whatsoever that: we're going to move him at such and such an hour.

Mr. HUBERT. I gather from your statement that your interview with Curry must have ended prior to 10 o'clock?

Mr. BENTON. Yes, sir; I'm sure that it did.

Mr. HUBERT. That would mean there was an hour and 20 minutes between the end of the interview and the actual shooting of Oswald. During that interval, I take it, also, you were moving around as you described?

Mr. BENTON. That's correct.

Mr. HUBERT. Until ultimately, you came down to monitor the various pictures that were being picked up by your cameras?

Mr. BENTON. Yes, sir.

Mr. HUBERT. During that period from 10 until the time you last left before the shooting, did you see anything or hear anything to indicate a time of movement or a schedule of movement?

Mr. BENTON. No, sir.

Mr. HUBERT. At any time was the route to be used, within the jail, first, and then after leaving the jail, or either of those two routes, discussed or commented upon by any public official that you know?

Mr. BENTON. I think the route from the jail to the courthouse was discussed.

Mr. HUBERT. That is to say, outside the jail?

Mr. BENTON. That's right.

Mr. HUBERT. On the streets?

Mr. BENTON. Yes, sir. My memory is hazy. I can only say I think, because I am not sure. I think that in the interview I had with Chief Curry that that route was discussed and that—please understand this is a vague recollection. You plan on one thing and then it gets torn up and you lose a few details. But as I recall, I think I was told, in the discussion of the armored car, that he would be taken down Commerce Street to the jail, which, as I recall, Commerce Street goes past one side of the building, and it's only necessary to make a right turn onto Houston Street to get to the jail entrance. I believe that's correct.

I remember looking at a picture on the wall in that anteroom to which Chief Curry's office adjoins. It's a picture taken from a high angle beyond the triple overpass which shows Main Street, Elm Street, Commerce Street—you can see the jail building, and, if someone will point it out to you, you can also see the top of the jail building, and it seems to me there was some discussion of that route. There was some discussion of a route between Chief Curry and myself, and whether we discussed merely landmarks, and this was the way the President's motorcade went, or whether we discussed the actual route of transportation for a prisoner, I don't remember.

Mr. HUBERT. Do you recall whether the time was discussed?

Mr. BENTON. No, sir; I don't recall the time being discussed.

Mr. HUBERT. Let me get this straight. Is it that no time was discussed positively, or you don't remember whether it was or not?

Mr. BENTON. I don't think it was because I had some certain journalistic qualms of my own about discussing the specific time and I don't think I asked a question like that because I didn't feel it was proper.

Mr. HUBERT. Do you know whether anyone else asked the question?

Mr. BENTON. I'm sure they did.

Mr. HUBERT. Did you hear them?

Mr. BENTON. No, sir.

Mr. HUBERT. Now, as I understand it, there were no notes taken by you during your interview of Chief Curry, is that correct?

Mr. BENTON. That's correct.

Mr. HUBERT. I think you have told me, in the discussion we had immediately prior to the beginning of this deposition, that you had some 10 pages of notes of the events of November 22 through the 24th but that it consisted mostly of names. Is that correct?

Mr. BENTON. Yes, sir; and I think the majority of my notes were taken prior to the 24th, because starting with—

Mr. HUBERT. Prior to the 24th?

Mr. BENTON. Yes, sir; prior to the 24th. Because starting on Saturday morning, the 23d—well, let me digress a bit. Up until midnight Friday night I was working with a film camera crew. Film has to be processed, edited, and prepared for broadcast. Notes are very necessary if you want to determine which sections of the film to try to grab and use, if it has to be done in a hurry. After that time, everything I was doing was either being taped for fast reuse or it was going out live. Consequently, from a purely technical standpoint, there was no need for me to take notes. The story was in the hands of the producer and the editors simultaneously by the time it occurred, and this, plus the fact that I was

in a rather large group of reporters, I had to hold a microphone in one hand. It was physically impossible to take any notes.

Mr. HUBERT. So the majority of your notes were taken, really, on Friday and Friday night?

Mr. BENTON. That's correct.

Mr. HUBERT. And those would have to do, you say, not so much with information to be reported but with notes for your own use in editing, is that correct?

Mr. BENTON. That's right. I took a great number of notes at the hospital because I was reporting after the fact rather than live.

Mr. HUBERT. I see. You say those notes are available?

Mr. BENTON. I think they are; yes, sir.

Mr. HUBERT. I wonder if you would undertake, when you have an opportunity to do so, to look them up and let me know about them. We'll then have them photostated or Xeroxed and return them to you.

Mr. BENTON. All right.

Mr. HUBERT. And I would ask you at the time you turn them over to us to just jot on each page your name, and date, and just put: In re: deposition.

Mr. BENTON. All right.

Mr. HUBERT. So as to tie into this deposition without having to call you back again, you see.

Mr. BENTON. Yes.

Mr. HUBERT. Now, is there anything else that you can think of that you would like to make a part of this deposition?

Mr. BENTON. No, sir; I don't think so.

Mr. HUBERT. Now, is there anything that was discussed between us prior to the beginning of this deposition that has not been covered and made a part of this deposition by the actual recordation by the recorder here?

Mr. BENTON. No, sir; I don't think so. I think you asked me one time—either you or the FBI asked me—if I saw Jack Ruby again on November 24. I did, after he had been arrested.

Mr. HUBERT. Yes, I did want to get that. Where did you see him next?

Mr. BENTON. I saw him in the corridor on the third floor of the police station.

Mr. HUBERT. How long after the shooting was that?

Mr. BENTON. I would guess an hour.

Mr. HUBERT. You just saw him in passing or did you have an interview with him or—

Mr. BENTON. He was being brought from the jail to Captain Fritz' office.

Mr. HUBERT. You did not speak to him?

Mr. BENTON. I asked him a question and—

Mr. HUBERT. What question?

Mr. BENTON (continuing). He did not answer. I asked him why he did it.

Mr. HUBERT. That's the only time?

Mr. BENTON. He was brought down from the jail to Captain Fritz' office and returned via the same route.

Mr. HUBERT. How long was he in Captain Fritz' office, would you say?

Mr. BENTON. I would say at least an hour; maybe longer.

Mr. HUBERT. And you first saw him about 12:20?

Mr. BENTON. I would say between 12:15 and 12:30.

Mr. HUBERT. And you say he was in there 1 hour?

Mr. BENTON. At least an hour. It may have been longer.

Mr. HUBERT. And then he was brought back up again. Do you recall who was with him at that time?

Mr. BENTON. He was in the custody of at least four or five officers. I don't know who they were.

Mr. HUBERT. Do you know FBI Agent Hall?

Mr. BENTON. No, I do not.

Mr. HUBERT. Do you know Secret Service Agent Forrest Sorrels?

Mr. BENTON. I know the name. I think I know the face. I'm not sure.

Mr. HUBERT. Do you know whether he was there when Ruby was in Fritz' office?

Mr. BENTON. I don't remember.

Mr. HUBERT. Now, after Ruby was brought back upstairs, after having been in Fritz' office at least 1 hour, did you see him again that day?

Mr. BENTON. No, sir.

Mr. HUBERT. All right. Now, when this deposition has been transcribed, we would like to send you a copy so that you may read it and make what stylistic semantic corrections you think should be made without changing the meaning, and then there will be a place for you to sign and then you can return it. I will ask the stenographer to send the transcript to me here. I will make some of these changes myself and send it on to you.

Mr. BENTON. Yes, sir.

Mr. HUBERT. At that time I will probably enclose a self-addressed and stamped envelope to the Commission in Washington so that you may send it on. Now, where will you be? I understand you are going to——

Mr. BENTON. San Francisco; tomorrow.

Mr. HUBERT. And you will be there until——

Mr. BENTON. I think until the 18th or 19th.

Mr. HUBERT. Could you tell me, Miss, when this will be in my hands?

The REPORTER. We normally have 2 weeks delivery. When would you need it?

Mr. HUBERT. Well, could you have it in my hands by Tuesday, the 14th?

The REPORTER. Yes, I'm sure I can.

Mr. HUBERT. Where will you be staying?

Mr. BENTON. I'll be staying at the Hilton Hotel in San Francisco.

Mr. HUBERT. And you won't leave there until the 18th?

Mr. BENTON. That is the present plan.

Mr. HUBERT. Well, we'll try to send it out to you airmail special delivery on the 14th so it ought to get there on the 15th or 16th and perhaps you'll have a chance to look it over. In any case, send it on. I guess you will leave a forwarding address. Could you be reached at this New Orleans address we have?

Mr. BENTON. Well, my wife would know where I am. The St. Charles Avenue address.

Mr. HUBERT. Yes; and the CBS local would know?

Mr. BENTON. Well, she would probably come closer to knowing than they would at CBS because quite often all of us are out of town.

Mr. HUBERT. All right, sir. Thank you very much.

TESTIMONY OF FRANK BELLOCCHIO

The testimony of Frank Bellocchio was taken at 11:50 a.m., on June 27, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Leon D. Hubert, Jr., assistant counsel of the President's Commission.

Mr. HUBERT. This is the deposition of Mr. Frank Bellocchio.

Mr. Bellocchio, my name is Leon Hubert. I am a member of the advisory staff of the general counsel on the President's Commission on the Assassination of President Kennedy. Under the provisions of Executive Order 11130 dated November 29, 1963, and the joint resolution of Congress, No. 137, and the rules of procedure adopted by the Commission in conformance with the Executive order and the joint resolution, I have been authorized to take this sworn deposition from you.

I state to you that the general nature of the Commission's inquiry is to ascertain, evaluate, and report upon the facts relative to the assassination of President Kennedy and the subsequent violent death of Lee Harvey Oswald. In particular as to you, Mr. Bellocchio, the nature of the inquiry today is to determine what facts you know about the death of Oswald and any other pertinent facts you may know about the general inquiry, and about Jack Ruby and his movements and his operations and associates and so forth. I think you have

appeared here today by virtue of a letter written to you by Mr. J. Lee Rankin, general counsel of the staff of the President's Commission asking you to come here; is that correct?

Mr. BELLOCCHIO. That's correct.

Mr. HUBERT. When did you receive that letter?

Mr. BELLOCCHIO. Approximately 6 days ago, I believe, 5 or 6 days ago.

Mr. HUBERT. Would you stand and take the oath, please, and raise your right hand. Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. BELLOCCHIO. I do.

Mr. HUBERT. Your name is Frank Bellocchio; is that correct?

Mr. BELLOCCHIO. That is correct.

Mr. HUBERT. Where do you live, sir?

Mr. BELLOCCHIO. 9832 San Lea Drive, Dallas.

Mr. HUBERT. What is your occupation?

Mr. BELLOCCHIO. Jeweler—self-employed.

Mr. HUBERT. Located where?

Mr. BELLOCCHIO. 8310 Varsity Plaza is the retail store and at 1517 Commerce Street.

Mr. HUBERT. That's a retail store?

Mr. BELLOCCHIO. No, this is a jewelry workshop.

Mr. HUBERT. Do you know Jack Ruby?

Mr. BELLOCCHIO. Yes; I do.

Mr. HUBERT. How long have you known him?

Mr. BELLOCCHIO. Seven or eight years.

Mr. HUBERT. In what way did you get to know him and how did your acquaintance or friendship continue?

Mr. BELLOCCHIO. I believe it was about 8 years ago that my wife and I strolled into his nightclub in Oaklawn.

Mr. HUBERT. The Vegas Club?

Mr. BELLOCCHIO. The Vegas.

Mr. HUBERT. You got to know him there?

Mr. BELLOCCHIO. And I got to know Jack Ruby. He introduced himself to me, and also some people knew me as a jewelry designer and he seemed to be impressed by this. He came over and he introduced himself to me and made his acquaintance in that manner.

Mr. HUBERT. How did your acquaintance or friendship, whichever it was, develop from that point?

Mr. BELLOCCHIO. Then I believe I went in—I believe my brother came down here from New York that summer.

Mr. HUBERT. That's about 8 years ago?

Mr. BELLOCCHIO. About 8 years ago—maybe 7 and maybe 9. My brother came down from New York City and my wife and I, I believe my brother and I believe his wife, went to the Vegas Club. Again, Jack Ruby came over to the table. My brother is on the police department in New York City and of course Jack Ruby was always impressed, you know, with police officers and so forth, and he got to talking to me and my brother all about some sort of business deal he had down here. I think it was this frozen pizzas. Jack Ruby spoke about going into the frozen pizza business, and the way he put it, I think he had plans to corner the frozen pizza business in the South. This was on my second meeting with Jack Ruby, and I believe the only time I actually sat at a table and spoke with him. After that from time to time I would see Jack Ruby downtown maybe walking in the opposite way or in a restaurant and he would always give me a big "Hello."

Mr. HUBERT. There was no social relationship between you then such as visiting in one another's houses and going out together or anything like that?

Mr. BELLOCCHIO. No.

Mr. HUBERT. Did you have any business relationships with him?

Mr. BELLOCCHIO. Never.

Mr. HUBERT. Did he come to your shop sometime?

Mr. BELLOCCHIO. I don't—I'm sure Jack Ruby was never in our store at Preston Center, and he may have visited my workshop downtown once. I vaguely remem-

ber him talking to me about designing some sort of an ornament for the winners at his dance club. He used to have competition between dancers and give prizes to the winners.

Mr. HUBERT. I think you saw him on the 23d of November 1963?

Mr. BELLOCCHIO. Yes.

Mr. HUBERT. When was the last time prior to that time that you had seen him?

Mr. BELLOCCHIO. I would say perhaps 6 months or 8 months or 10 months before that.

Mr. HUBERT. Where did you see him on Saturday, November 23, which was the Saturday after the shooting and death of the President?

Mr. BELLOCCHIO. At Sol's Turf Bar or Delicatessen.

Mr. HUBERT. Where is that located?

Mr. BELLOCCHIO. 1517 Commerce Street, right across from the Dallas Power and Light Co. It may be 1515 Commerce Street.

Mr. HUBERT. I think your number is 1515?

Mr. BELLOCCHIO. Yes; I'm located right upstairs.

Mr. HUBERT. Who were you with?

Mr. BELLOCCHIO. Tom Apple.

Mr. HUBERT. Who is he?

Mr. BELLOCCHIO. He's a personal friend of mine.

Mr. HUBERT. What business is he in?

Mr. BELLOCCHIO. He's an American Airlines pilot and also an engraver in the jewelry business.

Mr. HUBERT. What time did you and Apple go down?

Mr. BELLOCCHIO. I believe we went down around 3 o'clock.

Mr. HUBERT. For what purpose—to get lunch or a drink or what?

Mr. BELLOCCHIO. I believe—lunch, a drink, and it was a day in which everybody was upset and talking and I didn't feel much like working.

Mr. HUBERT. How do you fix the time at 3?

Mr. BELLOCCHIO. Originally, Tom and I thought or I thought that we had seen Jack Ruby about 1 o'clock or 1:30 or 2.

Mr. HUBERT. And you so stated, I think, to the FBI in your statement which has not yet been identified?

Mr. BELLOCCHIO. Yes.

Mr. HUBERT. But now you wish to correct that and say it was later?

Mr. BELLOCCHIO. We have established the time as being later than that, to the extent that I spoke to another friend of ours that was down there and he tells us it was closer to, I believe, 4 or 4:30 and he knows this is true because he had an appointment, I believe, at 2 o'clock and he was still there at 2 o'clock, and he's told us he stayed about 2 hours after that; therefore, he's very sure that it was not at 2 o'clock.

Mr. HUBERT. In other words, you fix the time at 4 o'clock because some friend of yours has told you that he saw you there?

Mr. BELLOCCHIO. Yes; we spoke with him.

Mr. HUBERT. You spoke with him and he knows it was 4 because he couldn't himself have gotten there until 4 o'clock.

Mr. BELLOCCHIO. That's right.

Mr. HUBERT. What is that friend's name?

Mr. BELLOCCHIO. I can't think of his name, but he's in the door business. It may come to me in a few seconds—I just can't think of his name right now.

Mr. HUBERT. How did you have occasion to talk to him about this time question?

Mr. BELLOCCHIO. Well, naturally, afterward we all spoke about having seen Jack Ruby and we spoke about the FBI contacting us, and then we just spoke about it, tried to hash it out exactly what happened, when it happened.

Mr. HUBERT. But you remembered that you had told the FBI it was sometime between 1 and 2 o'clock?

Mr. BELLOCCHIO. Yes.

Mr. HUBERT. And then this man reminded you it couldn't have been then because he had seen you earlier?

Mr. BELLOCCHIO. That's correct.

Mr. HUBERT. In spite of the fact that he saw you there at 4 o'clock, would that have eliminated the possibility that you were there at 2, necessarily?

Mr. BELLOCCHIO. I could have been there myself at 2 o'clock. As I said, it was a day in which everybody was very upset.

Mr. HUBERT. Did this friend indicate to you that he saw Ruby there?

Mr. BELLOCCHIO. Yes.

Mr. HUBERT. He saw Ruby there at 4?

Mr. BELLOCCHIO. Yes.

Mr. HUBERT. Now, how long was Ruby there altogether?

Mr. BELLOCCHIO. Approximately 15 minutes.

Mr. HUBERT. And he was not there twice, that is to say, to your knowledge while you were there, he was there once?

Mr. BELLOCCHIO. To my knowledge he was only there once.

Mr. HUBERT. And that was for 15 minutes?

Mr. BELLOCCHIO. Fifteen or twenty minutes.

Mr. HUBERT. And therefore, if the man who is in the door business whose name you don't remember at the moment, if he says he saw you talking to Ruby, that it had to be 4 o'clock because he couldn't have been there before 4 o'clock, then you are willing to amend your statement to show that it was 4 rather than 2?

Mr. BELLOCCHIO. Yes.

Mr. HUBERT. Now, I will introduce that statement. I have handed to you previously so that you might read it, a document which purports to be an interview of you by FBI Agent James S. Weir on December 5, 1963, which for the purpose of identification I have marked as follows: "Dallas, Texas, June 27, 1964, Exhibit No. 1, Deposition of Frank Bellocchio," and have signed my name Leon D. Hubert, Jr., which I have marked in the right-hand margin of the first page, the document consisting of two pages, and on the second page I have placed my initials on the lower right-hand corner.

Now, you have read this document, I think, and I ask if, except for the element of time, this document is correct, and does it correctly reflect the interview you had with the FBI agent?

Mr. BELLOCCHIO. Yes; it does.

Mr. HUBERT. Now, in the third paragraph it does state that the time was between 1 and 2 o'clock and you have in the last few minutes explained why you believe it was not that time, but rather 4 o'clock, right?

Mr. BELLOCCHIO. That's correct.

Mr. HUBERT. How long did you say you talked with Jack?

Mr. BELLOCCHIO. Ten, fifteen, or twenty minutes.

Mr. HUBERT. Was all of that conversation in the presence of Mr. Apple?

Mr. BELLOCCHIO. No.

Mr. HUBERT. Was any of it in the presence of Mr. Apple?

Mr. BELLOCCHIO. Yes, some of it; some of it was in the presence of Mr. Apple.

Mr. HUBERT. Would you describe then how it was that Mr. Apple was present during some of the conversation but not during other parts of it? In other words, how did you become separated?

Mr. BELLOCCHIO. Tom Apple and myself—how did we become separated?

Mr. HUBERT. Yes—from Ruby? In other words, Ruby came in after you were in there, is that correct?

Mr. BELLOCCHIO. I don't know whether Ruby was in there when I came in or whether he came in afterwards. I didn't see him enter or leave. He was there.

Mr. HUBERT. Did he come up to you and talk or did you go to him?

Mr. BELLOCCHIO. I believe I walked towards the rear of Sol's Turf Bar and Ruby said "Hello" to me.

Mr. HUBERT. And then did you engage him in a conversation?

Mr. BELLOCCHIO. There was considerable confusion. I don't remember whether I engaged him or he engaged me.

Mr. HUBERT. Was Apple present when you first saw him?

Mr. BELLOCCHIO. Apple was sitting at the bar. When I first saw Ruby—Apple was not with me, and to my knowledge Apple had never met and did not know Ruby.

Mr. HUBERT. So you spoke to Ruby alone, then, about how many minutes?

Mr. BELLOCCHIO. Oh, perhaps, 5, 8 or 10 minutes. There were other people around though.

Mr. HUBERT. How did Apple get into the conversation?

Mr. BELLOCCHIO. Well, Tom and I, before——

Mr. HUBERT. "Tom" is Mr. Apple, right?

Mr. BELLOCCHIO. Mr. Apple, right. Mr. Apple and I had been sitting at the bar and we were both naturally very upset about the President's assassination. I was on this day very emotional myself, and in a sense, I was holding Dallas responsible for the assassination of the President. Tom disagreed with me. We were discussing this at the bar. Then, I walked towards the rear of Sol's Turf Bar and somehow I got involved in a conversation with Ruby.

Mr. HUBERT. Well, suppose you tell us about that conversation between you and Ruby first. What was the nature of it and what subjects were discussed?

Mr. BELLOCCHIO. I believe I told Ruby that much of what had happened, Dallas could take the responsibility for.

Mr. HUBERT. What was his attitude toward that position?

Mr. BELLOCCHIO. His attitude toward that—he was very incoherent. He was agreeing with me and he was disagreeing with me.

Mr. HUBERT. Was he under the influence of liquor?

Mr. BELLOCCHIO. No.

Mr. HUBERT. Was he drinking at all?

Mr. BELLOCCHIO. No; not to my knowledge.

Mr. HUBERT. Did he have any drink in front of him?

Mr. BELLOCCHIO. No; he did not.

Mr. HUBERT. Did this place sell alcoholic liquor?

Mr. BELLOCCHIO. Pardon?

Mr. HUBERT. Did this place sell liquor?

Mr. BELLOCCHIO. Yes; it did. The reason I say he was very incoherent, I remember while I was feeling very, very bad about it, I told Jack Ruby I felt like letting my business go and moving from Dallas, and I remember Ruby telling me not to get excited, that there were a lot of good citizens in Dallas and not to hold everybody responsible.

Mr. HUBERT. In other words, he was calming you down?

Mr. BELLOCCHIO. He was calming me down—yes, but at the same time, rather, I showed him an advertisement that appeared in the Dallas Morning News.

Mr. HUBERT. That's the Weissman ad?

Mr. BELLOCCHIO. The Weissman ad.

Mr. HUBERT. You had cut it out?

Mr. BELLOCCHIO. I had cut it out.

Mr. HUBERT. What was his reaction when you showed him that?

Mr. BELLOCCHIO. His reaction to this was that this was perhaps the work of a group of individuals trying to stir up trouble here in Dallas, racial trouble here in Dallas.

Mr. HUBERT. Did he seem to know about the ad?

Mr. BELLOCCHIO. He said that he had been down to the newspaper and I believe that part of the ad had been paid in cash.

Mr. HUBERT. In other words, he did know about the advertisement?

Mr. BELLOCCHIO. He did know—yes, he definitely did know about the ad.

Mr. HUBERT. But his attitude toward the Weissman ad at that time, in response to your reaction, was that it was probably a group trying to stir up racial difficulties?

Mr. BELLOCCHIO. Racial—yes.

Mr. HUBERT. What sort of racial difficulties?

Mr. BELLOCCHIO. I assumed he meant an anti-Jewish feeling.

Mr. HUBERT. Did he use those words specifically?

Mr. BELLOCCHIO. No; he did not say those specific words.

Mr. HUBERT. You gathered that from the fact that the name Weissman normally is taken to be a Jewish name?

Mr. BELLOCCHIO. Yes; and he seemed to be very upset because the name was Weissman.

Mr. HUBERT. Did you know that Jack Ruby was Jewish?

Mr. BELLOCCHIO. Yes; I assumed he was Jewish.

Mr. HUBERT. Did he seem to think that the Jewish people in Dallas might be blamed for the assassination of the President on account of this ad?

Mr. BELLOCCHIO. He didn't say so but he inferred this.

Mr. HUBERT. Well, I take it from what you tell me that you were more excited about the ad and about the assassination than he was?

Mr. BELLOCCHIO. Well, I was excited—I was.

Mr. HUBERT. In any case, he was calming you down, I believe you said?

Mr. BELLOCCHIO. He was in a sense trying to pacify me.

Mr. HUBERT. At least to the extent that when you were inclined to blame Dallas, he defended Dallas, is that right?

Mr. BELLOCCHIO. That's correct, but by the same token, he turned around and produced a Polaroid film of a sign, a photograph, that said "Impeach Earl Warren."

Mr. HUBERT. Did he tell you how he obtained those pictures?

Mr. BELLOCCHIO. I don't believe so, or, he said that he had taken them with a camera.

Mr. HUBERT. What was his statement concerning those Polaroid pictures?

Mr. BELLOCCHIO. This upset him greatly, and at this point he seemed to be verifying my supposition that Dallas was responsible. As I said, he seemed to be taking two sides—he wasn't coherent.

Mr. HUBERT. He seemed to be vacillating between the two?

Mr. BELLOCCHIO. Between the two, and this is how Tom Apple got into the discussion.

Mr. HUBERT. All this had occurred prior to Tom Apple's getting into it?

Mr. BELLOCCHIO. Yes.

Mr. HUBERT. How did Tom Apple get into it? Did you all go to him or did he come to you?

Mr. BELLOCCHIO. No; when I saw the pictures "Impeach Earl Warren," this again supported my argument that Dallas in a sense was responsible.

Mr. HUBERT. So what did you do?

Mr. BELLOCCHIO. I asked Ruby if I could have one of the pictures. He said, "No." I said, "Well, would you come over and show them to a friend of mine?" and we went over and showed Tom Apple the photographs.

Mr. HUBERT. Did you introduce Ruby to Apple and vice versa, or did they know each other?

Mr. BELLOCCHIO. They didn't know each other and I don't believe I introduced them formally.

Mr. HUBERT. Is it your impression that they did not know each other then, is that right?

Mr. BELLOCCHIO. That's correct.

Mr. HUBERT. What is this part about Ruby's making some comment about having a squabble with respect to the taking of that picture?

Mr. BELLOCCHIO. I asked him a number of times if I could have one of the photographs.

Mr. HUBERT. What did you want them for?

Mr. BELLOCCHIO. Again, this was verifying my position that Dallas was responsible, in a city that would allow signs like this to be exhibited.

Mr. HUBERT. In other words, you wanted to use it later on in your arguments or discussions with friends as to your position?

Mr. BELLOCCHIO. That's right.

Mr. HUBERT. And you say he would not let you have them?

Mr. BELLOCCHIO. He would not let me have them.

Mr. HUBERT. Did he state why?

Mr. BELLOCCHIO. I believe he said he had some sort of a scoop and wanted to see that the right persons would get the photographs. I'm not at all sure, but I believe he said that.

Mr. HUBERT. Was he worried about his own business or seem to be or indicate that he was?

Mr. BELLOCCHIO. No; he didn't mention his own business.

Mr. HUBERT. How long was the conversation between you, Apple, and Ruby?

Mr. BELLOCCHIO. Perhaps 3 minutes, 4 minutes.

Mr. HUBERT. Now, how did the whole matter end? That is to say, you discussed the matter with Apple and you asked him again for the picture and he told you or indicated something about wanting a scoop or thinking he had a

scoop, and what happened next? Did he leave you, you leave him, or what happened?

Mr. BELLOCCHIO. It was almost as if he—I spoke to Tom and said a few more words to Tom, and Ruby was gone—never said "Goodbye" or "I'll be seeing you".

Mr. HUBERT. You don't recollect his leaving?

Mr. BELLOCCHIO. I don't recollect his leaving.

Mr. HUBERT. You don't know whether he left the bar at that time?

Mr. BELLOCCHIO. No; I don't.

Mr. HUBERT. You did not see him leave the bar?

Mr. BELLOCCHIO. I did not see him leave the bar.

Mr. HUBERT. How long after that did you stay?

Mr. BELLOCCHIO. Perhaps 45 minutes.

Mr. HUBERT. Did you see him during those 45 minutes?

Mr. BELLOCCHIO. No.

Mr. HUBERT. So, he may have been there or he may not have?

Mr. BELLOCCHIO. He may have been there.

Mr. HUBERT. Have you seen him since?

Mr. BELLOCCHIO. On television.

Mr. HUBERT. No; I mean in person?

Mr. BELLOCCHIO. I saw him at the trial.

Mr. HUBERT. Were you called as a witness?

Mr. BELLOCCHIO. Yes; I was.

Mr. HUBERT. By the defense or the prosecution?

Mr. BELLOCCHIO. By the defense.

Mr. HUBERT. But you haven't communicated with him otherwise?

Mr. BELLOCCHIO. No; I haven't.

Mr. HUBERT. Who communicated with you to get you to be a witness at the trial?

Mr. BELLOCCHIO. One of the private detectives working for the defense counsel.

Mr. HUBERT. I suppose you were interviewed by the defense counsel also?

Mr. BELLOCCHIO. Yes, sir.

Mr. HUBERT. By Mr. Belli?

Mr. BELLOCCHIO. No.

Mr. HUBERT. Mr. Tonahill?

Mr. BELLOCCHIO. On the stand.

Mr. HUBERT. I beg your pardon?

Mr. BELLOCCHIO. On the stand only. I was never interviewed prior to then by them.

Mr. HUBERT. You were never interviewed prior to that?

Mr. BELLOCCHIO. No.

Mr. HUBERT. But you were interviewed by the private detective?

Mr. BELLOCCHIO. Yes; I was.

Mr. HUBERT. And you told him in effect what, what you told us today?

Mr. BELLOCCHIO. In effect the same thing I have just given to you. They were more interested in his emotional condition, whether he seemed to be stable and so forth, at the time I spoke to him.

Mr. HUBERT. During any part of this conversation you had with Ruby on the 23d, did he make any remarks seeming to connect up the shooting of the President with the Weissman ad and the Earl Warren signs?

Mr. BELLOCCHIO. I don't believe so—no; and looking back at my conversation with him, he seemed to be very incoherent. He didn't seem to be thinking along any straight or any clear line. He would take one side and then he would jump and take the other side. He said Dallas was not responsible, and then he produced the photographs which said, "Impeach Earl Warren," and at this point he seemed to be holding Dallas responsible. He seemed to be taking both sides of the issue.

Mr. HUBERT. All right; do you have any other comment to make?

Mr. BELLOCCHIO. No, sir.

Mr. HUBERT. Now, Mr. Bellocchio, I don't think there have been any conversations between us at all since I first met you a few moments ago that have not been recorded, is that correct?

Mr. BELLOCCHIO. That's correct.

Mr. HUBERT. Thank you very much for coming, Mr. Bellocchio, and I appreciate your help.

Mr. BELLOCCHIO. Thank you.

TESTIMONY OF JOHN HENRY BRANCH

The testimony of John Henry Branch was taken at 1:30 p.m., on June 26, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Leon D. Hubert, Jr., assistant counsel of the President's Commission.

Mr. HUBERT. This is the deposition of John Henry Branch.

Mr. BRANCH. Yes; that's right.

Mr. HUBERT. Mr. Branch, my name is Leon D. Hubert. I am a member of the advisory staff of the general counsel on the President's Commission. Under the provisions of Executive Order 11130, dated November 29, 1963, and the joint resolution of Congress No. 137, and the rules of procedure adopted by President Johnson's Commission in conformance with the Executive order and the joint resolution, I have been authorized to take a sworn deposition from you. I state to you now that the general nature of the Commission's inquiry is to ascertain, evaluate, and report upon the facts relative to the assassination of President Kennedy and the subsequent violent death of Lee Harvey Oswald.

In particular as to you, Mr. Branch, the nature of the inquiry today is to determine what facts you know about the death of Oswald and any other pertinent facts you may know about the general inquiry, and about Jack Ruby and his operations and associates and movements on the dates in question.

I think you have appeared here by virtue of a letter written to you by Mr. J. Lee Rankin, general counsel of the staff of the President's Commission, asking you to be present, is that correct?

Mr. BRANCH. That's correct.

Mr. HUBERT. Do you know the date of the letter, do you remember the date?

Mr. BRANCH. I have it here—it's the 22d.

Mr. HUBERT. When did you receive it?

Mr. BRANCH. Yesterday.

Mr. HUBERT. Yesterday?

Mr. BRANCH. Yes.

Mr. HUBERT. Now, under the rules of the Commission every witness is entitled to a 3-day written notice, dating actually from the date of the letter, but in any case the rules of the Commission provide that a witness may waive that 3-day notice and testify, and I ask you now if you are willing to testify and if you are willing to waive the 3-day notice?

Mr. BRANCH. Yes; that's all I can do.

Mr. HUBERT. You have no objection to testifying now?

Mr. BRANCH. No, sir.

Mr. HUBERT. Would you stand then and let me administer the oath to you?

Do you solemnly swear that the testimony you are about to give in this matter will be the whole truth and nothing but the truth; so help you God?

Mr. BRANCH. I do.

Mr. HUBERT. Will you state your name, please?

Mr. BRANCH. John Henry Branch.

Mr. HUBERT. Where do you live, Mr. Branch?

Mr. BRANCH. 3722 Greenleaf.

Mr. HUBERT. That's in Dallas?

Mr. BRANCH. Dallas, Tex.

Mr. HUBERT. How old are you?

Mr. BRANCH. Fifty-three.

Mr. HUBERT. What is your occupation, sir?

Mr. BRANCH. I am manager of the Empire Room and agent for American Federation of Musicians.

Mr. HUBERT. What is the Empire Room?

Mr. BRANCH. That's a nightclub.

Mr. HUBERT. Where is it located?

Mr. BRANCH. 1710 Hall Street, Dallas.

Mr. HUBERT. Is it a part of a hotel?

Mr. BRANCH. No, sir; it's only a nightclub.

Mr. HUBERT. 1710 Hall Street?

Mr. BRANCH. Yes.

Mr. HUBERT. Do you operate a business known as the Branch Agency?

Mr. BRANCH. Correct.

Mr. HUBERT. What sort of a business is that?

Mr. BRANCH. I'm a licensed agent for the American Federation of Musicians—they employ musicians.

Mr. HUBERT. And you also manage the Empire Room?

Mr. BRANCH. Yes; a nightclub.

Mr. HUBERT. Now, I think that you have on a previous date, to wit, December 9, 1963, been interviewed by FBI Agents Hardin and Wilkinson?

Mr. BRANCH. Yes.

Mr. HUBERT. I have previously shown you just before beginning this deposition a report of the interview of you by them, and I asked you to read it?

Mr. BRANCH. Yes, sir.

Mr. HUBERT. It begins at about the middle of a page which bears at the bottom, No. 206, and goes over to about a quarter on the top of page numbered at the bottom 207. I have marked it for identification as follows: "Dallas, Texas, June 26, 1964, Exhibit Number 1 of the deposition of John H. Branch" under which I have signed my name on the first page, and on the second page I have put my initials in the lower right-hand corner.

Now, have you read the report concerning the interview of you to which I have just referred?

Mr. BRANCH. Yes.

Mr. HUBERT. Is that a correct and accurate statement of what occurred during that interview and what you told them and so forth?

Mr. BRANCH. Yes.

Mr. HUBERT. Are the facts that you told them true?

Mr. BRANCH. Yes, sir.

Mr. HUBERT. Did you see Ruby on the night of the 23d of November?

Mr. BRANCH. Yes, sir.

Mr. HUBERT. Let me fix that date in your mind—the 23d was a Saturday?

Mr. BRANCH. Saturday—that's right—Saturday night.

Mr. HUBERT. The President of the United States had been shot and killed on Friday, the 22d, so that when we are speaking of the night of the 23d, we are speaking of the next night?

Mr. BRANCH. That's right.

Mr. HUBERT. Did you see Ruby then?

Mr. BRANCH. Yes.

Mr. HUBERT. Where?

Mr. BRANCH. At the Empire Room.

Mr. HUBERT. That's the place you operate?

Mr. BRANCH. Yes.

Mr. HUBERT. What time was it?

Mr. BRANCH. I'm speaking of between 9 and 10.

Mr. HUBERT. What makes you fix that time?

Mr. BRANCH. Because the band just had kicked off. The band hadn't been playing over 15 minutes, and they go from 9 to 1 on Saturday, and they hadn't played—oh, I guess—three or four numbers.

Mr. HUBERT. In other words, they began at 9 o'clock?

Mr. BRANCH. Yes.

Mr. HUBERT. Was it a rather strict time that they began?

Mr. BRANCH. Every Saturday night at 9—to 1. They kick off at 9.

Mr. HUBERT. They start playing at 9 or should have—is it exactly 9 or sometimes a little later?

Mr. BRANCH. Sometimes it's 5 minutes after or 5 minutes till.

Mr. HUBERT. But it wouldn't vary more than 5 minutes?

Mr. BRANCH. It wouldn't vary more than 5 minutes.

Mr. HUBERT. You said that they had played about three or four numbers when you saw Ruby?

Mr. BRANCH. Yes; about three or four numbers.

Mr. HUBERT. How long does a number usually last?

Mr. BRANCH. About 3 minutes—with the singing, it would maybe run 5.

Mr. HUBERT. So, it would be about no more than 20 to 25 minutes after the beginning time, which could have been 5 minutes before 9 or 5 minutes after, so that in any case, it was no later than 9:30 and it could have been as early perhaps as 9:20, is that right?

Mr. BRANCH. Yes.

Mr. HUBERT. Now, under what circumstances did you see him? Did he just walk into the club?

Mr. BRANCH. Well, he came in and asked me about a pianoplayer.

Mr. HUBERT. Was he driving an automobile, or do you know?

Mr. BRANCH. Well, the car was up the street there.

Mr. HUBERT. You saw it—did you see him outside of the club?

Mr. BRANCH. I walked outside with him.

Mr. HUBERT. But the first time you saw him, he walked into the club?

Mr. BRANCH. He came in.

Mr. HUBERT. You knew him, of course, and had known him for years?

Mr. BRANCH. I had been knowing him for about 14 years—I've been doing business with him that long.

Mr. HUBERT. Supplying talent to him?

Mr. BRANCH. Yes, to his sister or him.

Mr. HUBERT. And what did he want to talk about?

Mr. BRANCH. He needed another pianoplayer because the pianoplayer she had out there couldn't make it.

Mr. HUBERT. That was at the Vegas Club?

Mr. BRANCH. That was at the Vegas Club.

Mr. HUBERT. When did he want that pianoplayer for?

Mr. BRANCH. Starting that Tuesday, beginning that next Tuesday, because they was letting that one go that Saturday night—yes—he was letting him go that Saturday night, but they were supposed to close on Sunday, and he wanted him that Monday night.

Mr. HUBERT. He wanted him Monday night?

Mr. BRANCH. He wanted him to start to playing that Monday night.

Mr. HUBERT. Did you make arrangements for him?

Mr. BRANCH. I was that Sunday—I was going to get a new pianoplayer that Sunday.

Mr. HUBERT. What was your conversation with him that night?

Mr. BRANCH. I told him I would get him another pianoplayer.

Mr. HUBERT. You didn't know who you would get?

Mr. BRANCH. No; I didn't know which one, you see, you've got to try two or three.

Mr. HUBERT. But he told you to go ahead and get one?

Mr. BRANCH. To go ahead and get one.

Mr. HUBERT. And to report on Monday night?

Mr. BRANCH. To his sister.

Mr. HUBERT. Did you arrange the price?

Mr. BRANCH. No; she does that. I let them talk with her about the price, but when I sell him something, I talk with him about it—the price.

Mr. HUBERT. How long did that conversation last?

Mr. BRANCH. It didn't last long. He drank a Coca-Cola and said he had to go down to the Carousel—to his other Club.

Mr. HUBERT. Did you walk out with him?

Mr. BRANCH. I walked out with him to the Hall Diner.

Mr. HUBERT. To his car?

Mr. BRANCH. To the next door there—to the Hall Diner—where his car was.

Mr. HUBERT. There's a Hall Diner there?

Mr. BRANCH. Next door to us.

Mr. HUBERT. His car was parked there?

Mr. BRANCH. His car was parked just below the driveway there.

Mr. HUBERT. You walked with him to the car?

Mr. BRANCH. Yes.

Mr. HUBERT. Did he stop at the diner?

Mr. BRANCH. No, no; he walked on to his car—it was right at the edge there.

Mr. HUBERT. And he left?

Mr. BRANCH. He left.

Mr. HUBERT. How much time do you think elapsed between the time he first came into the club and he drove off?

Mr. BRANCH. Maybe about 30 or 40 minutes, because he talks a whole lot—you know how fast he talks. He drank a Coca-Cola when he first got there.

Mr. HUBERT. And you discussed these various things?

Mr. BRANCH. Yes.

Mr. HUBERT. He left then about somewhere a little after 10?

Mr. BRANCH. It might not have been quite 10, because he kept saying he was in a hurry because he had to go down to the Carousel Club, because he had one new act.

Mr. HUBERT. It was somewhere about that time?

Mr. BRANCH. Yes; it was close to 10.

Mr. HUBERT. Did he talk at all about the death of the President?

Mr. BRANCH. He didn't discuss it. He didn't discuss it at all.

Mr. HUBERT. Did he say he was going to fire the pianoplayer he had?

Mr. BRANCH. He had already gave him his notice. He had his notice—she gave him his notice already.

Mr. HUBERT. Did he tell you whether he was closed or open?

Mr. BRANCH. He didn't say.

Mr. HUBERT. He just said he was going to go down to the Carousel for the new act?

Mr. BRANCH. Go down to the club.

Mr. HUBERT. He told you he had to leave, he was in a hurry, and he had to go to the Carousel Club?

Mr. BRANCH. He was in a hurry and he wanted to go to the Carousel Club and he wanted to be sure that I got him another pianoplayer.

Mr. HUBERT. Did he say what he was going to the Carousel Club for?

Mr. BRANCH. No, sir—that's his other club.

Mr. HUBERT. Yes. I know, but you said something about he wanted to see a new act?

Mr. BRANCH. He said he had a new act.

Mr. HUBERT. And he wanted to see it, and that's why he was in a hurry?

Mr. BRANCH. He was in a hurry to go down there and see it—I guess he was going to give them an audition. You know, you generally give them an audition, a new act.

Mr. HUBERT. Did he indicate to you whether his club was open or closed?

Mr. BRANCH. Which club?

Mr. HUBERT. The Carousel?

Mr. BRANCH. He didn't mention that.

Mr. HUBERT. It was your impression it was open?

Mr. BRANCH. Im sure—that's the impression I was under—that it was open, because I know the other one is open from 9 till 1, and until 2 on Saturday.

Mr. HUBERT. Was it open that Saturday?

Mr. BRANCH. It was open then.

Mr. HUBERT. Are you sure about that?

Mr. BRANCH. Yes; I'm sure it was open.

Mr. HUBERT. You mean the day after the President died?

Mr. BRANCH. I'm sure it was open.

Mr. HUBERT. What makes you believe that; were you there?

Mr. BRANCH. No, sir—I don't go out—very seldom, but I had talked to her that day about it, and I know they was closed up the day before.

Mr. HUBERT. Friday?

Mr. BRANCH. Yes—after that—they closed that night, I'm sure. I'm sure they closed that night.

Mr. HUBERT. How did you know that?

Mr. BRANCH. Because the band was off, because we were closed.

Mr. HUBERT. You were closed on Friday night?

Mr. BRANCH. We closed that evening, you know, after it happened.

Mr. HUBERT. Friday?

Mr. BRANCH. Yes.

Mr. HUBERT. But you didn't close on Saturday?

Mr. BRANCH. We didn't close on Saturday.

Mr. HUBERT. When Ruby came to your place the band was playing, I think you said?

Mr. BRANCH. Either the band has just started and played two or three numbers—it wasn't long.

Mr. HUBERT. Did he comment to you as to whether or not you should be open or closed on that night?

Mr. BRANCH. He didn't mention that.

Mr. HUBERT. Did he seem to object to the music or the dancing?

Mr. BRANCH. No, sir—he just came. There wasn't too much dancing then because we didn't have over seven or eight people in there then.

Mr. HUBERT. In any case he didn't fuss at you because you had opened your club on Saturday night?

Mr. BRANCH. No; he didn't fuss.

Mr. HUBERT. Did you tell him you had closed your club on Friday night?

Mr. BRANCH. I don't think I discussed that with him.

Mr. HUBERT. It was your impression that his club was open on Saturday night?

Mr. BRANCH. Saturday night; yes.

Mr. HUBERT. In any case, he told you he was in a hurry because he wanted to—

Mr. BRANCH. Go and see a new act at the Carousel.

Mr. HUBERT. You don't know whether that was an audition or whether it was to be played to an audience?

Mr. BRANCH. No, sir; I don't. I don't know.

Mr. HUBERT. What about this rumor of his distributing \$5 bills all over the Empire?

Mr. BRANCH. Well, he do that all the time. You see, everybody knew him, and they said, "Give me somethin', Ruby", and he always do that.

Mr. HUBERT. Did he do it on this occasion?

Mr. BRANCH. He gave away about three that night, going out the door. You see, everybody know him whenever he comes up there.

Mr. HUBERT. I think you told me that the statements you made in this document which I have identified as Exhibit No. 1 were correct, and I would like you to, if you could, see if you can clarify this point: On the second page of that document, the FBI agents report you as saying the following: "He said"—that's you—"that he did not see or hear of Ruby being in the Empire Room dancehall or any other Negro nightclub passing out \$5 bills on November 23 or on any other occasion." Is that correct—he was in your place?

Mr. BRANCH. He was in our place.

Mr. HUBERT. So this statement that he was not in your place is not correct?

Mr. BRANCH. He was really in our place.

Mr. HUBERT. And he did give out some \$5 bills?

Mr. BRANCH. I said he give out one or two—yes.

Mr. HUBERT. You said "three" a while ago?

Mr. BRANCH. When he started out that door, you know, all of them knew him—everybody in north Dallas knew him.

Mr. HUBERT. Who did he give these \$5 bills to?

Mr. BRANCH. Just some of the customers there at the door.

Mr. HUBERT. Really?

Mr. BRANCH. Yes; it don't make him no difference.

Mr. HUBERT. Has he done that on previous occasions?

Mr. BRANCH. Yes; he do that a lot of times.

Mr. HUBERT. How much would he give?

Mr. BRANCH. Sometimes he give away \$25 or \$30.

Mr. HUBERT. But on this night you said it was two?

Mr. BRANCH. Two or three.

Mr. HUBERT. So, I suppose you want to modify your statement in Exhibit No. 1, page 2, the top paragraph, to indicate that he was in the dancehall for the purpose you said, and that he did give out at least two or three \$5 bills, is that right?

Mr. BRANCH. That's right.

Mr. HUBERT. Now, do you know whether he went to any other Negro nightclub on the night of November 23?

Mr. BRANCH. No; I don't.

Mr. HUBERT. Do you know anything about Lee Harvey Oswald?

Mr. BRANCH. I don't know him at all.

Mr. HUBERT. Have you ever seen him before in your life?

Mr. BRANCH. No, sir.

Mr. HUBERT. Have you seen pictures of him?

Mr. BRANCH. Only in the paper.

Mr. HUBERT. But you don't identify him with anybody you ever saw?

Mr. BRANCH. No.

Mr. HUBERT. What was his mood, was he sad or glad?

Mr. BRANCH. What do you mean—Mr. Ruby?

Mr. HUBERT. Yes.

Mr. BRANCH. You can't never tell about him—he's a weird person.

Mr. HUBERT. How did he seem that night?

Mr. BRANCH. He's always in a hurry. He's fidgety, you know, he talks fast.

Mr. HUBERT. Did he seem to be crying, grieving, gay, happy, or what?

Mr. BRANCH. He wasn't too happy—he wasn't too happy.

Mr. HUBERT. What makes you believe that?

Mr. BRANCH. Because he will take time and set down, but this time he was—he just wanted to know for sure if she's going to have a pianoplayer—get his sister a pianoplayer out there because they was disgusted with the pianoplayer they had.

Mr. HUBERT. Did you tell your wife that Mr. Ruby had been there?

Mr. BRANCH. No; I didn't tell her.

Mr. HUBERT. What?

Mr. BRANCH. I didn't tell her.

Mr. HUBERT. Your wife is named Eleanor?

Mr. BRANCH. I didn't tell her that night.

Mr. HUBERT. When did you tell her?

Mr. BRANCH. I may have told her 2 or 3 days after.

Mr. HUBERT. She works for Mrs. Mandell?

Mr. BRANCH. That's right. As soon as she heard it was him, she knew that we were always taking care of business with him. I sold him the first band he had in Dallas—Red Calhoun—when he was at the Silver Spur, and when I got sick the first time, he gave me some money.

Mr. HUBERT. Did Mr. Ruby talk about the President's assassination at all?

Mr. BRANCH. Nothing; he didn't say a word.

Mr. HUBERT. He didn't say a word?

Mr. BRANCH. He didn't say a word—he didn't say anything.

Mr. HUBERT. Are you familiar with the so-called Weissman ad, the ad that appeared in the paper that had to do with the President, and so forth?

Mr. BRANCH. I don't think so.

Mr. HUBERT. He didn't talk about that?

Mr. BRANCH. No, sir.

Mr. HUBERT. Did he talk about any posters that he had seen on the streets about impeaching the Chief Justice, Mr. Earl Warren?

Mr. BRANCH. No; the only discussion we had was about the pianoplayer and then him going to the Carousel.

Mr. HUBERT. Well, you said he talked a lot and he was there for about 40 minutes, there must have been something else he talked about all that time?

Mr. BRANCH. That's all he talked about—the pianoplayer.

Mr. HUBERT. Well, how much talk could there be about him, you mean that he would be paid, or who he would be or what kind of music he would play or what?

Mr. BRANCH. That he don't want no jazz pianoplayer, he wanted just the straight rhythm and blues pianoplayer.

Mr. HUBERT. Yes; I'm just trying to see, Mr. Branch, what could have kept him as long as 30 minutes, if all he talked about was the pianoplayer?

Mr. BRANCH. That's mostly what he talked about—and the club. I should come down to the club and see it. I've never seen it.

Mr. HUBERT. And that he was going to the club?

Mr. BRANCH. That he was going to the club.

Mr. HUBERT. He was listening to the music?

Mr. BRANCH. He had a new act—he was standing up to the bar talking and drinking a Coca-Cola, and then he did say something about some reducing pills I should take—I should take some tablets—I had just came out of the hospital and had been operated on.

Mr. HUBERT. He thought you were too fat?

Mr. BRANCH. Well, I was.

Mr. HUBERT. And he suggested some pills?

Mr. BRANCH. Well, he had some—vitamins.

Mr. HUBERT. Did he give you some?

Mr. BRANCH. No; he didn't give me none of them, but he said he had some vitamins he was using.

Mr. HUBERT. Did he comment on the fact that some of his competitors like Mr. Abe Weinstein were keeping their nightclubs open while he was closing his?

Mr. BRANCH. He didn't mention that.

Mr. HUBERT. You know the Colony Club?

Mr. BRANCH. Yes; I know all the clubs. You see, a lot of times he's just carrying on a lot of foolishness anyway.

Mr. HUBERT. He did what?

Mr. BRANCH. I said—a lot of times he just talked about foolishness, anyway.

Mr. HUBERT. Like what?

Mr. BRANCH. Just about different acts and different musicians he had out to the place—"Slick," and different ones he'd got out of jail and all that and how much I'd done for them, and you know how that is.

Mr. HUBERT. You knew he was a Jew?

Mr. BRANCH. Who, Mr. Ruby?

Mr. HUBERT. Yes.

Mr. BRANCH. Yes, sir.

Mr. HUBERT. Was he sensitive about being a Jew?

Mr. BRANCH. I don't know—you see—he was a good fellow, but the thing was, he was a parlor-type fellow.

Mr. HUBERT. A what?

Mr. BRANCH. Temperamental—real temperamental, but he was a good fellow. The only thing, though, he bragged because he was a Jew.

Mr. HUBERT. He bragged because he was a Jew?

Mr. BRANCH. A lot of times.

Mr. HUBERT. Could you give us an example of that, please, or several examples?

Mr. BRANCH. You see, a long time ago he had a place down here in the bottom called Cavalcade of Blues and he went busted and he said he was going to leave, and he was going to come back and still have the Cavalcade of Blues, and they busted him, and he got broke, and he said, "I'm coming back," and he said, "I'm going to be the only Jew that ever come back and repeat it again"; and he did—he came back.

Mr. HUBERT. And he boasted about it later—you heard him do so?

Mr. BRANCH. He done that—he told me two or three times.

Mr. HUBERT. Can you give us some other examples of episodes or things he said which would indicate that he was proud of being of the Jewish faith?

Mr. BRANCH. I don't believe I can.

Mr. HUBERT. Did he ever indicate to you the thought that the Jews were getting a bad deal in society?

Mr. BRANCH. No; he would be happy nearly every time you see him.

Mr. HUBERT. He was what?

Mr. BRANCH. He'd be happy nearly every time you'd see him.

Mr. HUBERT. What did you mean then when you said he was temperamental?

Mr. BRANCH. Well, the least little thing—if you say something to him and the price would be too high and he would get mad and said something like, "You know that's too much," but he was just like that—he was a good man.

Mr. HUBERT. Where is the Pago Club?

Mr. BRANCH. Now, it's over on—over here on McKinney. Which one do you mean—the one that used to be on Lemmon? They've done moved it now; it's over on McKinney.

Mr. HUBERT. Where was it on November 23?

Mr. BRANCH. That was on Lemmon.

Mr. HUBERT. On Lemmon Street?

Mr. BRANCH. On Lemmon Avenue. Mr. Norton's.

Mr. HUBERT. There weren't two of them, were there?

Mr. BRANCH. Only one.

Mr. HUBERT. It's moved to another address now?

Mr. BRANCH. It's down there on McKinney now.

Mr. HUBERT. How far is your place, that is, the Empire Room at 1710 Hall Street, to the Pago Club, where it used to be?

Mr. BRANCH. You come down Lemmon all the way to Washington and turn right on Washington at Ross and come right on to the Empire Room and I'd say it's about 15 blocks.

Mr. HUBERT. How far would the Hall Diner or the Empire Room be to the Carousel?

Mr. BRANCH. Well, that's down on Commerce Street.

Mr. HUBERT. Yes; I mean how many blocks?

Mr. BRANCH. I've never been to it.

Mr. HUBERT. Well, it's near the Adolphus Hotel, and let's put it this way—how far would it be from your place to the Adolphus?

Mr. BRANCH. That should be about between 12 and 14 blocks, according to which way you go—which way you come down.

Mr. HUBERT. About a 5-minute drive in an automobile?

Mr. BRANCH. About 7 minutes.

Mr. HUBERT. Did you have any indication from what Ruby said as to where he had been before he came to see you on the 23d?

Mr. BRANCH. No, sir.

Mr. HUBERT. How was he dressed?

Mr. BRANCH. He had on a gray pair of trousers and a blue coat.

Mr. HUBERT. Did he have a hat on?

Mr. BRANCH. He wore a hat.

Mr. HUBERT. What color?

Mr. BRANCH. It was black.

Mr. HUBERT. Did he have an overcoat?

Mr. BRANCH. It wasn't cold—it wasn't even cold.

Mr. HUBERT. And he indicated to you that he was going directly to the Carousel?

Mr. BRANCH. Yes, sir.

Mr. HUBERT. When you saw him drive off, did he drive in the direction of the Carousel?

Mr. BRANCH. He went up Hall Street. He had to go to the corner and turn back right.

Mr. HUBERT. Would that be the way you go to the Carousel?

Mr. BRANCH. The way he was headed, he had to go one block and turn right and come down Ross. He didn't seem like he was angry or anything.

Mr. HUBERT. The band would have a break, wouldn't it, have several breaks?

Mr. BRANCH. Our bands don't have but one break. In a white club you have four breaks. You see, you play 45 and off 15 in a white club, and in a colored club, you play 2½ hours and take 30 minutes.

Mr. HUBERT. So, if it started at 9, you would go to 11:30, and then start up again at 12?

Mr. BRANCH. That's right.

Mr. HUBERT. You are definite that when Ruby came the band had started and had played about three or four pieces?

Mr. BRANCH. About three or four numbers.

Mr. HUBERT. Would it be possible that he came to see you at the beginning of the second half?

Mr. BRANCH. No, no; it was just after we kicked off—it wasn't much after.

Mr. HUBERT. I'm thinking about whether it was possible it was the kickoff of the second half after the recess?

Mr. BRANCH. No; it was the kickoff.

Mr. HUBERT. It was the kickoff of the evening?

Mr. BRANCH. It was the kickoff of the evening, because we didn't have over four or five people in the house.

Mr. HUBERT. And later there were more?

Mr. BRANCH. Yes; they came in—you see—it was Saturday night, and they started coming in all the way to 11.

Mr. HUBERT. There's no possibility that he was there as late as 11 or 12 o'clock at night?

Mr. BRANCH. No, sir.

Mr. HUBERT. Did you ever see him after that night?

Mr. BRANCH. No, sir.

Mr. HUBERT. In regard to your statement, Exhibit No. 1, there is some material on the top of the first page that does not deal with you, and then there is the material that does deal with you, and I asked you to read the part marked by a mark placed by me on the first page called "X-1," and on the second page, it's squared off with "X-2." That's the part we're talking about that you have testified about previously.

What happened to the pianoplayer that you engaged for Monday night?

Mr. BRANCH. You know—they closed up.

Mr. HUBERT. Right away?

Mr. BRANCH. Yes—after he got in that trouble, they closed the place up.

Mr. HUBERT. So, the pianoplayer never was sent?

Mr. BRANCH. No, sir.

Mr. HUBERT. Did you ever get word from somebody not to send him?

Mr. BRANCH. No, sir; but it was in the paper. You see there was all the news in the paper where he done got in trouble.

Mr. HUBERT. Yes; but did they say that the club would be closed?

Mr. BRANCH. No, sir—you see—I'm living out that way, and I got by there every day and it was closed.

Mr. HUBERT. Did you talk to Miss Eva and ask her if she wanted him?

Mr. BRANCH. I never talked to her but one time. You see, she called me and asked me about it, but you see, I didn't do business with her.

Mr. HUBERT. When was that?

Mr. BRANCH. Well that was the same day he came by—I talked to her about the pianoplayer.

Mr. HUBERT. You mean—before he came?

Mr. BRANCH. Yes.

Mr. HUBERT. You talked to her before he came that night?

Mr. BRANCH. Yes; that was the day.

Mr. HUBERT. Was it on the telephone?

Mr. BRANCH. Yes.

Mr. HUBERT. It was on Saturday during the day?

Mr. BRANCH. Yes.

Mr. HUBERT. She wanted a pianoplayer from you?

Mr. BRANCH. Yes.

Mr. HUBERT. What did you tell her?

Mr. BRANCH. I told her I'd talk to Mr. Ruby about it.

Mr. HUBERT. Did you ask him to come by?

Mr. BRANCH. He always come by when he wants something.

Mr. HUBERT. You say you would not talk to her?

Mr. BRANCH. No, sir; I don't do business with her.

Mr. HUBERT. Why?

Mr. BRANCH. Because she's too hard to get along with.

Mr. HUBERT. You have had experience along that line?

Mr. BRANCH. Yes; that's why all the musicians was quitting—on account of her. They worked for him, but they don't want to work for her, but he put her over there and so they just stayed along.

Mr. HUBERT. Was there anybody with Ruby on the night you saw him?

Mr. BRANCH. No, sir; he was by himself.

Mr. HUBERT. When did you first learn that he had shot Oswald?

Mr. BRANCH. When I was looking at television.

Mr. HUBERT. Did you recognize him?

Mr. BRANCH. No, sir; not at first, because he was just like that—I was a little surprised.

Mr. HUBERT. Did you know Andy Armstrong who worked over there at the Carousel?

Mr. BRANCH. No, sir; I don't know nobody over at the Carousel at all. I knew Joe Johnson and all the band that worked up there.

Mr. HUBERT. Did you know Mr. Ralph Paul?

Mr. BRANCH. I'm trying to think of who that is—I didn't know him. I know Miss Grant and I knowed nothing but the band.

Mr. HUBERT. Do you know Mr. George Senator, a roommate of Ruby's?

Mr. BRANCH. No, sir; I didn't know him at all. I have never seen him. I have seen some men with him sometimes but I didn't know who it was. You see, he would get out of there—he'd get out when he'd drive up there, and a lot of times I'd see him pass and call him and he wouldn't stop, and I wouldn't stop him.

Mr. HUBERT. All right, just to close this—is there anything more you want to say?

Mr. BRANCH. No, sir.

Mr. HUBERT. There has been no conversation between us other than what's been recorded in this room, is that correct?

Mr. BRANCH. Yes; that's correct.

Mr. HUBERT. Thank you very much, Mr. Branch. I appreciate your coming by.

Mr. BRANCH. Thank you, I appreciate it too.

TESTIMONY OF WILLIAM GLENN DUNCAN, JR.

The testimony of William Glenn Duncan, Jr. was taken at 3:45 p.m., on June 26, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Leon D. Hubert, Jr., assistant counsel of the President's Commission.

Mr. HUBERT. This is the deposition of William Glenn Duncan, Jr.

Mr. Duncan, my name is Leon Hubert. I am a member of the advisory staff of the general counsel on the President's Commission. Under the provisions of Executive Order 11130, dated November 29, 1963, and the joint resolution of Congress No. 137 and the rules of procedure adopted by the President's Commission in conformance with that Executive order and that joint resolution, I have been authorized to take a sworn deposition from you. I state to you now that the general nature of the Commission's inquiry is to ascertain, evaluate and report upon the facts relative to the assassination of President Kennedy and the subsequent violent death of Lee Harvey Oswald.

In particular, as to you, Mr. Duncan, the nature of the inquiry today is to determine what facts you may know about the death of Oswald and any other pertinent facts you may know about the general inquiry, and about Jack Ruby and his operations and movements and associates and so forth.

I think you appear here today by virtue of a letter written to you by Mr. J. Lee Rankin, general counsel of the staff of the President's Commission asking you to be present, is that correct?

Mr. DUNCAN. That's correct.

Mr. HUBERT. Do you remember the date of that letter?

Mr. DUNCAN. No; I got it the 23d, but I don't remember the date of it.

Mr. HUBERT. Well, the rules of the Commission provide that every witness is entitled to a 3-day written notice prior to the taking of his deposition, commencing from the date of the request, so that the rule has probably been complied with here, but at any rate, the rule also provides that the witness may waive that 3-day notice if he wishes.

Mr. DUNCAN. Well, I'm sure they were complied with, and if not, I will waive that.

Mr. HUBERT. Then, will you stand up and take the oath, please, sir.

Do you solemnly swear that the testimony you are about to give in this matter will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. DUNCAN. I do.

Mr. HUBERT. Mr. Duncan, I have previously shown you a document which I have marked for identification by placing in the right-hand margin the following: "Dallas, Texas, June 26, 1964, Exhibit No. 1 of the Deposition of Glenn Duncan" and under which I have signed my name. The exhibit consists of one page. It purports to be a report of an interview of you by FBI Agents Neeley and Rice on November 29, 1963.

I ask you if you have read Exhibit No. 1 and whether it is correct or whether there is anything wrong or something which should be modified or expanded?

Mr. DUNCAN. Now, the exhibit is basically correct. The only possible discrepancy would be the matter of the two telephone calls from Jack Ruby, which is still a matter of some confusion in my mind, as to the exact number. The time on this exhibit shows probably between 1 a.m. and 2 a.m. I think it would actually be between midnight and 1 a.m. Ruby's visit came over the 2 o'clock hour and the telephone calls preceded that. Aside from that the exhibit is correct.

Mr. HUBERT. Now, you place the visit by Ruby between the hours of 1 and 2, is that correct?

Mr. DUNCAN. No; the visit was actually about 30 minutes long and hinged somewhere over the 2 o'clock hour.

Mr. HUBERT. That is to say it was somewhere between a quarter of 2 and a quarter past 2, or 5 minutes of 2 and 25 minutes after 2?

Mr. DUNCAN. I would say—somewhere between that.

Mr. HUBERT. How much before the beginning of the actual personal interview did the phone calls occur?

Mr. DUNCAN. Well, they would be another half hour to 45 minutes. I would say about that—45 minutes would probably be the most solid—from the last telephone call to his arrival.

Mr. HUBERT. So that your thought is that the phone calls could not have been earlier than 1 o'clock?

Mr. DUNCAN. It was—could not have been later than 1 o'clock.

Mr. HUBERT. Could not have been later than 1 o'clock.

Mr. DUNCAN. Correct—I would like to allow myself a—

Mr. HUBERT. It's incorrect to say that the calls were between 1 and 2 a.m., when actually the latest time in your mind that the calls could have been, would have been 45 minutes before he came or about 1 o'clock.

Mr. DUNCAN. About 1 o'clock; yes.

Mr. HUBERT. Can you tell us why it is that you have that recollection now and are changing another recollection, or is it your opinion that the FBI agents misunderstood you? In other words, we have here a discrepancy in time, and I would like some way to have it explained to us.

Mr. DUNCAN. Well, the only time I can pin down definitely is that his visit hinged over the 2 o'clock hour, because at 2 o'clock I did a 2 o'clock newscast and he was there during that newscast, and I would judge his visit to be about a half hour, and I was guessing he arrived 10, 15, perhaps 20 minutes before that, but at least hinging over that. I would put the telephone calls between 12 and 1 because of the time preceding that, and as to the discrepancy with the report, I would have no idea.

Mr. HUBERT. Well, it may well be and I suggest to you the possibility that it is,

that now you have this very definite hinge point, as it were, that Ruby was there when you made a 2 a.m. broadcast and perhaps you did not remember that on the 29th when you told the agents that?

Mr. DUNCAN. This could very well be.

Mr. HUBERT. Otherwise, the document is all right, that is to say, Exhibit No. 1?

Mr. DUNCAN. Yes; it is.

Mr. HUBERT. Now, I have also handed to you and I think you have read it, a document purporting to be the transcription of your testimony at the Ruby trial, consisting of a number of pages, beginning apparently at page 52 and ending on page 67. I have marked this group of papers for identification as follows: On the first page I have put in the right-hand margin—"Dallas, Texas, June 26, 1964, Exhibit No. 2, Deposition of Glenn Duncan" and I have signed my name below that and on each of the succeeding pages I have put my initials in the lower right-hand corner, and I ask you if you have read this transcription of your testimony, and if you have any comment to make upon it?

Mr. DUNCAN. I have read it and it is correct in total. I have marked on one page—

Mr. HUBERT. Page 64?

Mr. DUNCAN. Yes—page 64—and this concerns the part of the testimony where I was being cross-examined by Mr. Belli and he asks me, paraphrasing, if after Ruby had seen Oswald, did Ruby seem pleased, satisfied—that he had seen this character, et cetera, et cetera, et cetera—I have an addition to make.

I can remember now one particular incidence and this came to mind after the trial. We talked for a few minutes on Oswald himself, his appearance and so forth, and I remember, I believe Ruby brought it up, that he was—to the effect—actually a fairly nice looking kid. We talked about how he would normally—could pass off as a college student somewhere, and the connection was brought up to a vague resemblance between Oswald and Paul Newman, the movie star. This is about the only addition that I could make to that.

Mr. HUBERT. He was describing Oswald as he said he had seen him that night, wasn't he?

Mr. DUNCAN. Yes; that's correct.

Mr. HUBERT. At a press conference?

Mr. DUNCAN. Yes.

Mr. HUBERT. Did he comment upon how he happened to be there?

Mr. DUNCAN. Yes, he did. He said he had come to the front door of our studio with the sandwiches and cola and so forth that I have mentioned elsewhere in that testimony, and had tried to get in—the door was locked, and because of the long distance between the flight of stairs and the studio, no one heard him, and he said he went over the the city hall, the police department, Dallas City Hall, to try to find one of our newsmen to either give the sandwiches to him or let him in. While he was there, he said there was all of a sudden a lot of commotion, people running around, and he said he was caught up in the rush and before he knew it he was in an assembly room, being pushed by everybody and standing there with his big bag of sandwiches and everything, and looking up at Oswald, and he said this was when Oswald was brought out to be seen by the press after he had been charged that night.

Mr. HUBERT. Is it your impression that he was trying to convey to you that he got into that room more or less by accident by being brushed along and not by design?

Mr. DUNCAN. Yes; exactly. This was the whole point or one of the points that he was making—the fact that he hadn't even known it was going to happen, and suddenly he was pushed along. He didn't know what the rush was all about until he was in there surrounded by everybody.

Mr. HUBERT. So he was conveying to you that he got into the assembly room just by a sort of an accidental method and he did not get there because he sought to get there?

Mr. DUNCAN. Right. His exact words, I don't remember, but the inference was very definitely accidental and not attempting to get in.

Mr. HUBERT. You didn't know Jack Ruby prior to this, did you?

Mr. DUNCAN. No, I did not—it was the first time actually I had ever even heard of him—was when I was introduced to him on the telephone that night.

Mr. HUBERT. And how were you introduced to him?

Mr. DUNCAN. By the announcer on duty at the time.

Mr. HUBERT. Who is he?

Mr. DUNCAN. Danny McCurdy, and Jack called the control room, which was the only public number or the only place in the station at that time with the telephone answer to a public number, and our newsroom telephones are both unlisted private lines, and so at that time he, according to what Danny told me, said he had some things to bring up and I was introduced to him on the phone.

Mr. HUBERT. He had some sandwiches?

Mr. DUNCAN. Some sandwiches and colas, and I was introduced to him on the telephone and there was a mixup. Danny gave him the newsroom number, the telephone number.

Mr. HUBERT. Is that what's called the hot line?

Mr. DUNCAN. That's what's called the hot line—correct. He gave him the hot-line number and he was going to call and then there was a mixup and he had written it down and had forgotten it or Danny gave him the wrong number or something, and he called Danny again to get it again, and then he either called the newsroom and introduced himself to me with Danny then picking up his telephone in the control room or Danny introduced me to him on one of the other lines during the exchange of telephone numbers, and I do not remember which it was.

Mr. HUBERT. Was it at that time that he suggested to you that he might be able to get an interview for you with Henry Wade?

Mr. DUNCAN. No, the first telephone call—the first conversation that I had with him was concerned mainly with an introduction and was he going to be able to get in and so forth and so forth.

Since Danny indicated that he knew him or had met him before, I agreed—well, we agreed to let him in, and normally of course we wouldn't give someone the run of the station, but it had been indicated anyway that he knew people on the staff. He had advertised with us, among other things, and so he was going to get in, and then he called back.

Mr. HUBERT. How long after?

Mr. DUNCAN. Well, I was just going to say—a few minutes—and exactly, I couldn't tell. I would say it was probably not more than 10 minutes.

Mr. HUBERT. Could you fix the time of each one of those calls?

Mr. DUNCAN. Not very definitely. It's very difficult for me to do.

Mr. HUBERT. Except that you know they were before 1 o'clock?

Mr. DUNCAN. Yes.

Mr. HUBERT. And that they were 10 minutes apart?

Mr. DUNCAN. I would say they were approximately 10 minutes apart.

Mr. HUBERT. And it was on the second one that he told you that he could get the interview with Wade?

Mr. DUNCAN. Yes. He said that he was there and that Henry Wade was there and did I want to talk with the District Attorney Wade, and at this time I was very anxious to do that because we were understaffed. I was alone in the newsroom. I knew that something was going on, but in attempting to get facts, I had tried to get into city hall by calling every other place I knew over there and had been unable to reach Wade, so I was very anxious to do that.

Mr. HUBERT. Did you suggest to Ruby on the first call that you would like an interview with Wade, or was it his idea?

Mr. DUNCAN. To the best of my recollection, the conversation with Wade was his idea. I may have said something about perhaps in cutting the telephone conversation short, but I was busy in trying to get into the city hall by telephone to get some information or something, but I did not ask him specifically to find Wade or anyone else for me, and I honestly do not know whether or not I mentioned it to him.

Mr. HUBERT. But when he called you the second time, the purpose of that call was to tell you that he had Wade available?

Mr. DUNCAN. Yes.

Mr. HUBERT. Was Wade immediately available?

Mr. DUNCAN. Yes, he was—Jack said that Wade was on another telephone. He asked me did I want to talk to Henry Wade and I said "Yes", and he said, "Just a second. He's on another phone with somebody from New York, and I'll get him," and then in a few moments Wade did come to the telephone.

Mr. HUBERT. Did you know where Ruby and Wade were talking from?

Mr. DUNCAN. They were talking, according to Ruby, from city hall.

Mr. HUBERT. Do you know what part of the city hall?

Mr. DUNCAN. No, I do not. After awhile—well, at the time I guessed and I would still assume it to be at least relatively correct, that they were in the basement of the city hall somewhere around the records office or the assembly room that was used for press conferences at that time—during the assassination coverage, but that is an assumption.

Mr. HUBERT. When he did put Wade on the phone, of course you taped the interview with Wade, and you say that that tape is still available, right?

Mr. DUNCAN. Yes, it is.

Mr. HUBERT. Then it was about three-quarters of an hour after that, that Ruby came over with the sandwiches and so forth?

Mr. DUNCAN. Yes.

Mr. HUBERT. And stayed about 30 minutes?

Mr. DUNCAN. Yes; 30 to 45 minutes.

Mr. HUBERT. Was he with you all that time or what was he doing?

Mr. DUNCAN. He came in the newsroom door about the same time—or after—he came through the newsroom door with Russ Knight who had gone over to the city hall with a portable tape record for me to attempt to get something—to get an interview there, and when I had been unable to reach Henry Wade I had asked Russ if he would go over and he said he would. He left and then it was after his departure that Ruby called and I eventually talked to him. They arrived at the newsroom door at the same time.

In talking with Russ later, I believe he said they didn't arrive at the front door at the same time, but anyway they came into the newsroom together. He stayed in the newsroom the entire time, to the best of my recollection, until he was actually ready to leave. Then Russ went down to let him out, I believe. At least, in talking with Russ afterward I remember Russ saying something about he and Ruby had chatted on the way out or in the hall outside the newsroom.

Mr. HUBERT. Do you remember how he was dressed?

Mr. DUNCAN. He had a dark suit on—a hat, white shirt, tie, and I believe he was carrying an overcoat—I believe.

Mr. HUBERT. Of course, he brought the sandwiches over?

Mr. DUNCAN. Yes, and he had the sandwiches.

Mr. HUBERT. He was definitely there during your 2 o'clock broadcast?

Mr. DUNCAN. Yes; he was.

Mr. HUBERT. I assume that your 2 o'clock broadcast began exactly at 2 a.m.?

Mr. DUNCAN. Exactly.

Mr. HUBERT. How long did it last?

Mr. DUNCAN. Normally, we run 4½-minute newscasts. This could have been as long as 5 or 6 because the format changed during the assassination coverage, but I would say that.

Mr. HUBERT. Was he in the broadcasting room with you at that time?

Mr. DUNCAN. Yes; he was.

Mr. HUBERT. Do you remember mentioning his name?

Mr. DUNCAN. No, no—as a matter of fact, to be dead certain I would have to listen to the Soundsciber.

Mr. HUBERT. You do have a Soundsciber of that broadcast at 2 o'clock?

Mr. DUNCAN. Right; we have. We maintain a 24-hour taping service at the station.

Mr. HUBERT. Is that Soundsciber going to be kept permanently?

Mr. DUNCAN. Yes, they are kept in storage.

Mr. HUBERT. All of them or just these particular ones?

Mr. DUNCAN. No, this is done constantly. We have 24 hours a day every day tape recordings.

Mr. HUBERT. And how long a period of time do you keep those things?

Mr. DUNCAN. This—I am not sure of. This I would have to find out from the station engineering staff. I am certain though that long after others are gone, the news covering the assassination will be kept and that they are available now.

Mr. HUBERT. Do you know anything about a sort of an instrument called an Alpawna Box, the word being spelled A-l-p-a-w-n-a?

Mr. DUNCAN. No; I have never heard of it.

Mr. HUBERT. Did Ruby in the course of any conversation with you on the telephone or otherwise mention the famous Weissman ad, are you familiar with the Weissman ad?

Mr. DUNCAN. Yes; I am. I do not remember. I don't believe he did because I probably would have remembered after Ruby's further involvement, but I do not believe he did.

Mr. HUBERT. Did he indicate anything to you which would suggest that he was concerned that public opinion might place the blame for the assassination upon the people of the Jewish faith?

Mr. DUNCAN. No.

Mr. HUBERT. Did he talk in any way about the fact that he was a Jew or of the question of Jews or any aspect of that kind?

Mr. DUNCAN. No, not at all. As a matter of fact, I am certain he didn't because I remember being surprised, well, not surprised, but feeling it was a new piece of information when I learned later he was Jewish. The term "Ruby," and I did not connect the thing with any physical characteristic at all.

Mr. HUBERT. Are you familiar with a pamphlet called "Heroism"?

Mr. DUNCAN. Only in a hearsay sense.

Mr. HUBERT. Did Ruby make any comments about that pamphlet that you now identify the way you have, on the night in question?

Mr. DUNCAN. Not to me.

Mr. HUBERT. Did he do so to anyone else—do you know?

Mr. DUNCAN. I understand from talking to Russ Knight that he did, as I mentioned, later when they were chatting in the hall at the time of Ruby's departure, Russ told me that Ruby gave him a copy of a Life Line speech or pamphlet entitled "Heroism" and asked him to read it.

Mr. HUBERT. Did you see that?

Mr. DUNCAN. No, I did not. I didn't see the pamphlet or the exchange or did not actually know anything about it until talking with Russ some time after.

Mr. HUBERT. Have you ever seen or spoken to Ruby after he left that night?

Mr. DUNCAN. No; well, I saw him during the coverage when I was at the police department covering the assassination—that's all.

Mr. HUBERT. Did he ask for any kind of a pass, a press pass from you?

Mr. DUNCAN. No; he did not. He didn't ask for anything.

Mr. HUBERT. Did he have any press pass from KLIF, to your knowledge?

Mr. DUNCAN. No; he didn't—not at all.

Mr. HUBERT. You would know if he did have?

Mr. DUNCAN. Probably—I should think so. Press passes were short at that time, and at that time the only press passes available to my knowledge were the press passes that were connected with the Kennedy visit and not the later Dallas police press passes that were issued after the assassination.

Mr. HUBERT. What is your impression of Ruby's general attitude that night?

Mr. DUNCAN. Well, repeating my trial testimony—this was the first time I had met him, so I had no real relative gage, but he did not seem out of character. He seemed—he was excited in the sense that everyone was excited. He seemed to me to be a highstrung individual, a quick sort of individual, but he did not seem overly excited and did not seem out of character.

Mr. HUBERT. Did he seem to be grieving?

Mr. DUNCAN. No, no; he was not grieving. If anything—if anything, he was—well, I use the word "happy" guardedly, but he was if anything happy that evidence was piling up against Oswald and that he had been charged, and the mounting of a case against him.

Mr. HUBERT. Did you get the impression that he himself was sort of getting a

kick or a charge out of being close to the police and the news development of this historic event?

Mr. DUNCAN. Oh, I think so. I think he was to a certain degree. Of course, we run into this sort of thing all the time. Of course, the event was much more important, but I would not say that he seemed any more excited about having an "in" or being closer to it than the average person we run into at a shooting or a major accident, who sidles up to you and tries to become involved.

Mr. HUBERT. How did he explain giving you the sandwiches?

Mr. DUNCAN. As I remember there was no definite explanation. It was simply that "I figured you guys would be hungry and I brought these up to you," with this type of an explanation, if it is one.

Mr. HUBERT. Did he indicate to you that the sandwiches had originally been intended for the police but that he found that they couldn't use them and he therefore brought them to you?

Mr. DUNCAN. No; from the very beginning—from the telephone calls and afterward he indicated to me that they were originally intended for us, and the reason he had them at the police station was the fact that he had been unable to get in.

Mr. HUBERT. To get into where?

Mr. DUNCAN. To get into our place and then had gone over to look for one of their newsmen. His indication, and I don't know about his whereabouts before that, or he didn't mention them, but his indication was he came to our station first.

Mr. HUBERT. Did you notice whether he had an overcoat on?

Mr. DUNCAN. I believe he was carrying an overcoat.

Mr. HUBERT. Could you tell us what color it was?

Mr. DUNCAN. It seems to me that it was a dark gray or light brown—a muted dark tone.

Mr. HUBERT. Is there anything else you wish to add?

Mr. DUNCAN. I don't believe so.

Mr. HUBERT. I don't think there has been any conversation between us off the record—that has not been brought out on the record?

Mr. DUNCAN. I don't believe so. It seems to me the only thing we talked about were these telephone calls and that's in.

Mr. HUBERT. And that's in the record?

Mr. DUNCAN. Yes.

Mr. HUBERT. I think we did talk off the record by telephone, but that has been developed fully and is now on the record.

Mr. DUNCAN. Yes, sir.

Mr. HUBERT. All right, sir, I believe that is all and I thank you very much for coming.

Mr. DUNCAN. Glad to help you out.

Mr. HUBERT. All right, thank you.

TESTIMONY OF GARNETT CLAUD HALLMARK

The testimony of Garnett Claud Hallmark was taken at 10.35 a.m. on June 27, 1964, in the office of the U.S. attorney, 301 Post Office Building, Byran and Ervay Streets, Dallas, Tex., by Mr. Leon D. Hubert, Jr., assistant counsel of the President's Commission.

Mr. HUBERT. This is the deposition of Mr. Garnett Claud Hallmark.

Mr. Hallmark, my name is Leon D. Hubert. I am a member of the advisory staff of the general counsel on the President's Commission. Under the provisions of Executive Order 11130 dated November 29, 1963, and the joint resolution of Congress No. 137, and the rules of procedure adopted by the President's Commission in conformance with the Executive order and the joint resolution, I have been authorized to take this sworn deposition from you. I state to you

now that the general nature of the Commission's inquiry is to ascertain, evaluate, and report upon the facts relative to the assassination of President Kennedy and the subsequent violent death of Lee Harvey Oswald. In particular as to you, Mr. Hallmark, the nature of the inquiry today is to determine that facts you know about the death of Oswald and any other pertinent facts you may know about the general inquiry and about Jack Ruby and his operations and so forth. Now, I think you appear today here by virtue of a letter written to you by J. Lee Rankin, general counsel of the staff of the President's Commission, who asked you to come; is that correct?

Mr. HALLMARK. That's correct.

Mr. HUBERT. I believe also the letter was probably dated the 22d of June 1964, and I ask you when you received it?

Mr. HALLMARK. I received it the 23d—it was stamped the 23d.

Mr. HUBERT. That's Tuesday?

Mr. HALLMARK. That's right.

Mr. HUBERT. Well then the 3 days required for notice have elapsed. I will ask you if you will stand and raise your right hand and I will administer the oath. Do you solemnly swear that the testimony you are about to give about these matters will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. HALLMARK. Yes, sir.

Mr. HUBERT. Will you state your name, please, sir?

Mr. HALLMARK. Garnett Claud Hallmark.

Mr. HUBERT. And your residence?

Mr. HALLMARK. 2831 Quanah.

Mr. HUBERT. How do you spell that?

Mr. HALLMARK (spelling). Q-u-a-n-a-h.

Mr. HUBERT. That's in Dallas?

Mr. HALLMARK. Yes.

Mr. HUBERT. What is your occupation?

Mr. HALLMARK. I am employed by Allright Auto Parks, Inc., as a general manager of the Dallas operation.

Mr. HUBERT. Do they operate several parking lots in the city?

Mr. HALLMARK. Yes.

Mr. HUBERT. How long have you been so employed?

Mr. HALLMARK. Eight years.

Mr. HUBERT. Do you know a man by the name of Jack Ruby?

Mr. HALLMARK. Yes.

Mr. HUBERT. How long have you known him?

Mr. HALLMARK. I have known him, it will almost be 4 years now—over 3 years.

Mr. HUBERT. I have previously handed to you a 5-page document and for the purpose of identification, I have marked the first page on the right margin as follows: "Dallas, Texas, June 27, 1964, Exhibit No. 1 of the Deposition of Garnett C. Hallmark," and I have signed my name below that and on each of the following four pages I have placed my initials in the lower right-hand corner of each page.

I asked you to read that so that you would be able to answer the questions I am now about to ask you, and that is whether or not this Exhibit No. 1, which purports to be an interview of you by FBI Agent Arthur Carter on December 11, 1963, is a fair and correct report of the interview that you did have with the FBI agent?

Mr. HALLMARK. Yes; it's a good account.

Mr. HUBERT. Have you any corrections or modifications or changes to make in this?

Mr. HALLMARK. No; not at all.

Mr. HUBERT. Now, I want to know whether or not you had seen Jack Ruby on the 22d of November?

Mr. HALLMARK. No; I didn't see him.

Mr. HUBERT. But on the 23d, I think, you say in your statement that you did see him?

Mr. HALLMARK. Yes.

Mr. HUBERT. Was that at the Nichols Bros. parking lot right next door to your lot next door to the Carousal Club?

Mr. HALLMARK. That's correct.

Mr. HUBERT. I think you have a man named Huey Reeves, or did, who worked there?

Mr. HALLMARK. Yes; Reeves still works for me. We have lost that location but Reeves still works for me.

Mr. HUBERT. As general manager of this operation are you present at times in the different locations that you operate?

Mr. HALLMARK. Yes.

Mr. HUBERT. On the 23d, you were, however, at the operation called Nichols Bros.?

Mr. HALLMARK. Yes.

Mr. HUBERT. Which was a part of Allright Parking?

Mr. HALLMARK. Yes.

Mr. HUBERT. One of the questions I want to ask you is how you fixed the time of seeing him, but I noticed that on page 2, the second paragraph, you indicate that you saw him at about 3:05 p.m. You established that time because you knew that you had a schedule that would require you to leave at 3:15, and that that enabled you to fix the time.

Mr. HALLMARK. Yes.

Mr. HUBERT. I will ask you to elaborate to this extent—tell us what kind of schedule was that?

Mr. HALLMARK. Well, first of all—of course, I had gone to this location to relieve this Tom Brown who is mentioned there, and just to let him get off and out of the office long enough to stretch his legs and get a cup of coffee, and I allowed myself approximately 30 minutes for that. I wanted to be at a location on Elm Street, 1920 Elm, at just about 3:30.

Mr. HUBERT. Is that one of your parking lots?

Mr. HALLMARK. Yes.

Mr. HUBERT. And your schedule called for you to be there at 3:30?

Mr. HALLMARK. Yes.

Mr. HUBERT. To do that you figured you would have to leave at 3:15?

Mr. HALLMARK. I wanted to leave at 3:15 to give myself plenty of time.

Mr. HUBERT. Is it your impression then that you saw Ruby about 10 minutes prior to the time you scheduled yourself to leave?

Mr. HALLMARK. He first entered the garage at probably—at 2:50.

Mr. HUBERT. Did you talk to him then?

Mr. HALLMARK. Well, he drove into the garage before I had ever gone into the office, and he parked at the place we normally let him park his car and got out and said he wanted to use the phone, that he was acting like a reporter. Of course, I granted him permission to walk in our cashier's office and use the phone.

Mr. HUBERT. Did he further identify his activities as "acting like a reporter"?

Mr. HALLMARK. No; he didn't elaborate on that.

Mr. HUBERT. I mean, did he convey to you that he was acting like a reporter in any particular matter?

Mr. HALLMARK. No.

Mr. HUBERT. Did you gather from what he said that he was acting like a reporter in connection with the death of the President?

Mr. HALLMARK. I, of course, assumed that. He made the remark to me that, I believe in the process of dialing the first one of two numbers he called, that what happened to the President was terrible, and of course, I agreed, but I got most of my information when I was just immediately adjacent to him as he used the phone there.

Mr. HUBERT. You are making a gesture there which indicates about 2 feet?

Mr. HALLMARK. Yes; or less.

Mr. HUBERT. You were within 2 feet of him when he conversed?

Mr. HALLMARK. Yes.

Mr. HUBERT. Could you hear voices on the other end of the phone?

Mr. HALLMARK. No; I could not.

Mr. HUBERT. But you gathered your information from his remarks that you could clearly hear?

Mr. HALLMARK. Yes.

Mr. HUBERT. And that's, of course, been reported in this Exhibit No. 1, and you say it is correctly reported?

Mr. HALLMARK. It's very good.

Mr. HUBERT. Now, I think you have mentioned in your report here on the first page that he was speaking to someone and told that person that his clubs would be closed, and then the conversation, as you put it here, switched to some remarks concerning the transfer of Oswald.

Can you elaborate on that and tell us in more detail specifically what type of remarks those were?

Mr. HALLMARK. He was—he told this person who he had established as being Ken, that he had been to the city hall and was following this thing, and he had information to the effect that the transfer was to take place that afternoon. I got the impression that he had some information and possibly wanted corroboration. In other words, he just was not 100 percent sure, but he had—he thought he knew that the thing was to take place then, but was not 100 percent sure. Then, he remarked that people started strewing flowers at the scene of the assassination, which is in the immediate locale of the county jail, so that possibly because of the congestion they would not transfer Oswald that afternoon. Oswald's name—I don't recall definitely that Oswald's name was mentioned. He kept referring to him as "he".

Mr. HUBERT. I think you were aware that he was talking to a newspaper reporter, weren't you, a Wes Wise?

Mr. HALLMARK. He was talking to, if I may tell you something I found out since or I think I found out, he was talking to a diskjockey on one of the local radio stations.

Mr. HUBERT. His original call had been then to a man by the name of Wes Wise—Wesley Wise?

Mr. HALLMARK. He asked for Wes Wise.

Mr. HUBERT. What radio station would that be?

Mr. HALLMARK. I believe that would be Ken Dowe with KLIF. This I think I found out since the trial.

Mr. HUBERT. In other words; he first asked for Wes Wise?

Mr. HALLMARK. That's correct.

Mr. HUBERT. And your recollection is he soon discovered he was talking to Ken and so made a remark that indicated he was?

Mr. HALLMARK. Yes.

Mr. HUBERT. Was it your impression that his efforts to corroborate the time of the transfer were successful or not? I mean, did you get the impression that this man he was talking to confirmed Ruby's apparent thought that the move would be made that Saturday afternoon?

Mr. HALLMARK. I really don't think he did. I believe that as the conversation progressed and turned out, that Ruby had more information or perhaps, and I don't know what the other guy knew, but perhaps he just wasn't putting anything out.

Mr. HUBERT. In any case, you got the impression that Ruby, who was seeking information, was not in fact getting any but giving some?

Mr. HALLMARK. That's true; and it just suited him to be putting out this information.

Mr. HUBERT. In other words, he seemed pleased with himself?

Mr. HALLMARK. He seemed pleased with himself; yes.

Mr. HUBERT. Now, you make the statement here that one of the remarks he made was "You know I'll be there". Do you recall in what context that was, I mean, what had immediately preceded that, so that we might be able to gain some light as to where he said he would be?

Mr. HALLMARK. He planned to be on the scene of the transfer.

Mr. HUBERT. That's what you gathered from that remark?

Mr. HALLMARK. Yes.

Mr. HUBERT. Do you remember what preceded it so that we could get the basis of forming an impression ourselves of what this phrase "You know I'll be there" referred to?

Mr. HALLMARK. The conversation that preceded that statement was that about

the strewing of the flowers and the possible delay of the transfer. In other words, immediately after he said that possibly the thing would be delayed, he listened for a period of time, maybe 20 seconds and closed the conversation with, "You know I'll be there".

Mr. HUBERT. And your thought is that that referred to the jail?

Mr. HALLMARK. Yes.

Mr. HUBERT. Now, one other thing I want to cover is that you make a statement that it was your impression that Ruby would not allow the girls who worked in his establishment either as waitresses or entertainers to make dates out of the club. Can you tell us how you obtained that information?

Mr. HALLMARK. Well, in the 3 plus years that I have known Ruby, we've probably—I can say conservatively that we have talked 30 minutes a week about first one thing or another. Ruby was a good neighbor, and, of course, he pushed my operation there in this garage, and it was through those conversations that influenced my thinking from a standpoint of—I mean—this wouldn't have anything to do with morals, it would be because Ruby knew that he could get himself in trouble, you know, lose his license.

Mr. HUBERT. That impression came from a series of conversations that spread over possibly 3 years?

Mr. HALLMARK. Yes; right.

Mr. HUBERT. All of which indicated to you that he would not tolerate the dating of his girls, but that principally he was motivated by the fact that he could get into difficulty if he did?

Mr. HALLMARK. Yes; true, because he could lose his liquor license.

Mr. HUBERT. Did he ever advert specifically to his losing his liquor license or is that an example that just simply occurs to you?

Mr. HALLMARK. That's just something that occurs to me. He had knowledge of the fact certainly that the Dallas Police Department checks on that type of thing.

Mr. HUBERT. What I'm trying to get at—do you specifically remember him saying something to the effect that I wouldn't do that because I might lose my license?

Mr. HALLMARK. I don't recall his ever stating that definitely.

Mr. HUBERT. I think you said that you thought that during the 3 years, more or less, period you probably spoke to Ruby probably 30 minutes a week at odd times?

Mr. HALLMARK. Yes; probably.

Mr. HUBERT. Did you ever hear him express any ideas concerning a political philosophy?

Mr. HALLMARK. No; never.

Mr. HUBERT. Did he ever discuss international politics or ideologies?

Mr. HALLMARK. No; not with me.

Mr. HUBERT. Now, on the 23d when you saw him, what was your impression of his reaction to the death of President Kennedy?

Mr. HALLMARK. I described him to Mr. Carter as being a preoccupied and an intense person.

Mr. HUBERT. You mean generally so?

Mr. HALLMARK. Generally so. Ruby was—everything was either black or white with Ruby. There was no inbetween. He almost always in these conversations which I would have with him, he would probably be listening to me but he would be staring off—at anything.

Mr. HUBERT. You mean that's during the 3 years you knew him?

Mr. HALLMARK. Yes; and on this afternoon he was just more so. After he had closed this conversation with the diskjockey or newsman, if you prefer, he walked east on Commerce Street away from his club. In other words, he walked up past—I don't know at what point he walked, but he walked past his competitors.

Mr. HUBERT. That's the Colony Club?

Mr. HALLMARK. Yes; that's right, and he was gone about 2 minutes and he came back and when he came back he stopped right outside this cashier's cage and stood there and looked for—it seemed like 2 full minutes. He acted like

he wanted to say something, but he never did until he said, "I'll see you, Claud", and then he went and got in his car.

Mr. HUBERT. Did you form the impression then, on the 23d, that he was acting a bit differently than he usually did or has that impression been formed in retrospect?

Mr. HALLMARK. The best words I can think of to use—he was typically himself only more so.

Mr. HUBERT. But I mean, did you get the impression of the "more so" then or did you think about it later and realize that it was more so?

Mr. HALLMARK. I got it then.

Mr. HUBERT. You got it then and there?

Mr. HALLMARK. Yes; definitely.

Mr. HUBERT. You didn't comment to anybody about it?

Mr. HALLMARK. No; not specifically.

Mr. HUBERT. In other words, on the 23d you had the mental reflection that Ruby is acting a little bit differently than he usually does?

Mr. HALLMARK. Yes; and the remarks which he made. He remarked to me and the first person he talked to on the telephone about what had happened to the President was terrible. Of course, I would certainly not object to his using the phone, he has used it numerous times, but I just acted, you know, I just left him alone. I didn't try to engage him in any conversation or anything because, or partially because of the way he was acting.

Mr. HUBERT. In other words, the manifestations of a difference in his attitude not only impressed itself on your memory at the time, but actually caused you to behave toward him differently than normally you would have?

Mr. HALLMARK. Yes; it did, although I don't recall having anything that I wanted to talk to him about.

Mr. HUBERT. But you mentioned a moment ago that you refrained deliberately from your normal attitude with him?

Mr. HALLMARK. Yes.

Mr. HUBERT. Because of the strangeness of his attitude?

Mr. HALLMARK. Yes; I didn't want to impose myself on his thoughts whatever they were.

Mr. HUBERT. Did he indicate that he was worried about the effect of the assassination of President Kennedy on his own business affairs?

Mr. HALLMARK. No; not except for the fact that he closed both his clubs. He had closed them the night prior and they were to be closed that night and the next, but he said nothing about the money it would cost him to close. He did ask me about the other—the neighboring places of business like his own. He asked me if I knew whether they would be open or not, and, of course, I told him that I did not know, and so he stated that they wouldn't have nerve enough to open after they had seen his ad. At the time I had not seen his ad. I looked at it later, and he had run an ad in the paper which stated that his clubs would be closed. It was a good-sized ad for that type place.

Mr. HUBERT. Well, did he comment about the effect of the assassination on his future business rather than on the closing for the 3 days?

Mr. HALLMARK. No; he made no comment about that.

Mr. HUBERT. Did he make any comment concerning his worry that for some reason the Jews might be implicated in the killing of the President on account of the Weissman ad?

Mr. HALLMARK. No; I heard nothing of that nature. As a matter of fact in having known him, I don't know, and of course, I realize that Ruby was Jewish, but I don't believe that I ever heard him say anything related to the fact that he was a Jew. I believe I would—rather people would get the impression that he was not Jewish. This is from looking at the thing and remembering it.

Mr. HUBERT. In retrospect?

Mr. HALLMARK. In retrospect.

Mr. HUBERT. Did you observe any sensitivity on his part because he was a Jew?

Mr. HALLMARK. No; I have never. Like I say, I believe that he would—I think he would rather people have not known that he was a Jew, but that's my

thinking, just because of the fact that we have never touched upon that in any of our conversations.

Mr. HUBERT. Did you know a boy by the name of Larry Crafard who worked for Ruby for awhile?

Mr. HALLMARK. Now, when was that?

Mr. HUBERT. Just before the assassination of the President last year?

Mr. HALLMARK. No; I do not recall that name. I did not ever try to strike up an acquaintance with any of Ruby's employees.

Mr. HUBERT. Actually, your duties cause you to move around from one place to the other?

Mr. HALLMARK. Yes.

Mr. HUBERT. How many places did you have under your supervision?

Mr. HALLMARK. I'm in charge of about eight downtown garages, specifically.

Mr. HUBERT. You were then?

Mr. HALLMARK. Yes. When Ruby first moved into the Carousel it was the Sovereign Club, and I was the manager at that one specific garage then and that was Nichols Garage, and I don't remember exactly at what point I was made general manager and moved out, as you have described.

Mr. HUBERT. Did you have sort of a headquarters office?

Mr. HALLMARK. Yes; I headquartered—in other words, I usually parked my car there at 1320 Commerce, probably out of habit, but that was usually the first place in the morning and the last place in the evening. I generally called that headquarters at the time.

Mr. HUBERT. But you didn't know any of the people who worked there as entertainers?

Mr. HALLMARK. I knew them by sight only. I never tried to strike up a conversation with any of them or any acquaintance.

Mr. HUBERT. All right, is there anything else you would like to add, sir?

Mr. HALLMARK. I don't think so—I can't think of anything that I would want to add.

Mr. HUBERT. Now, I don't believe there has been any conversation between us except that which has been recorded, is that correct?

Mr. HALLMARK. I believe that's correct.

Mr. HUBERT. Thank you very much. I appreciate your coming down.

Mr. HALLMARK. All right.

Mr. HUBERT. And I appreciate your taking the time to do so—thank you very much.

Mr. HALLMARK. All right, thank you, Mr. Hubert.

TESTIMONY OF ALFRED DOUGLAS HODGE

The testimony of Alfred Douglas Hodge was taken at 2:55 p.m., on June 26, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Leon D. Hubert, Jr., assistant counsel of the President's Commission.

Mr. HUBERT. This is the deposition of Alfred Douglas Hodge.

Mr. Hodge, my name is Leon D. Hubert. I am a member of the advisory staff of the general counsel of the President's Commission on the Assassination of President Kennedy. Under the provisions of Executive Order 11130 dated November 29, 1963, and the joint resolution of Congress No. 137, and the rules of procedure adopted by the Commission in conformance with the Executive order and the joint resolution, I have been authorized to take this sworn deposition from you. I state to you that the general nature of the Commission's inquiry is to ascertain, evaluate and report upon the facts relative to the assassination of President Kennedy and the subsequent violent death of Lee Harvey Oswald.

In particular, as to you, Mr. Hodge, the nature of the inquiry today is to determine what facts you know about the death of Oswald and any other pertinent facts you may know about the general inquiry, and about Jack Ruby and his operations and associates and so forth.

Now, you have appeared here today by virtue of a letter written to you by Mr. J. Lee Rankin, general counsel of the staff of the President's Commission, asking you to be present, isn't that correct?

Mr. HODGE. Yes.

Mr. HUBERT. I think that letter was probably dated the 22d of June and you received it yesterday or the day before?

Mr. HODGE. The day before.

Mr. HUBERT. Under the rules adopted by the Commission all witnesses are entitled to a 3-day written notice before their depositions may be taken, dated from the date of the letter, which rule may have been complied with here, but in any case the rules also provide that any witness may waive that 3-day notice and I ask you now if you are willing to testify at the present time?

Mr. HODGE. Oh, yes.

Mr. HUBERT. Will you stand so I may administer the oath?

Do you solemnly swear that the testimony you are about to give in this matter will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. HODGE. Yes; I do.

Mr. HUBERT. What is your name, please?

Mr. HODGE. Alfred Douglas Hodge.

Mr. HUBERT. Where do you live, sir?

Mr. HODGE. At 6573 Kenwood.

Mr. HUBERT. How old are you?

Mr. HODGE. Fifty-five.

Mr. HUBERT. What is your occupation?

Mr. HODGE. I have a gunshop.

Mr. HUBERT. Does it bear any trade name?

Mr. HODGE. Buckhorn Trading Post.

Mr. HUBERT. Where is it located?

Mr. HODGE. 215 South Ervay.

Mr. HUBERT. Is that also connected with a bar?

Mr. HODGE. That's 213—it's the bar next door to it.

Mr. HUBERT. You operate both businesses?

Mr. HODGE. Yes, sir.

Mr. HUBERT. Both called "Buckhorn"—one is the Buckhorn Bar and the other is the Buckhorn Trading Post?

Mr. HODGE. Yes, sir.

Mr. HUBERT. And the Trading Post sells guns?

Mr. HODGE. Yes, sir.

Mr. HUBERT. Are you officially licensed to do so under the laws of the State of Texas?

Mr. HODGE. Yes.

Mr. HUBERT. I have previously today shown you a document which I have marked for identification in the right-hand margin as follows: "Dallas, Texas, June 26, 1964, Exhibit No. 1 of the Deposition of A. D. Hodge", and I have signed my name below that. That document purports to be the report of an interview of you by FBI Agents Anderton and Hardin on November 24, 1963, and I ask you if that report of the interview is substantially correct?

Mr. HODGE (read instrument referred to). Well, now—this—the Dallas Police Department—

Mr. HUBERT. What line are you talking about?

Mr. HODGE. Right here—"The Dallas Police Department wanted him to check all of his records concerning the sale of the assassinator's weapon"—I don't recall the Dallas Police did that. I did that on my own and I called the FBI and they came down and he kind of went over the books with me, you see.

Mr. HUBERT. I think you are speaking, Mr. Hodge, of the last three lines of the second paragraph of this document, right?

Mr. HODGE. Yes.

Mr. HUBERT. Where it indicates that the Dallas Police asked you to do that,

and the fact is, you said you made that investigation yourself and reported what you had found to the FBI and to the Dallas police?

Mr. HODGE. I might have reported it to the Dallas police—I do that.

Mr. HUBERT. Let's put it this way: I understand from the conversations we had prior to the beginning of this interview that this interview does not contain the entire story?

Mr. HODGE. Yes.

Mr. HUBERT. It does not contain the entire story of your participation in this matter, and I'm going to get that in just a moment by asking you to give the entire story as you gave it to me a moment ago, but this document as far as it goes, is correct, I take it?

Mr. HODGE. Now, he didn't ask me, "Have they arrested you?" He didn't say that. He says, "What are you doing up here?"

Mr. HUBERT. I think perhaps if I question you, the differences between what this Exhibit No. 1 says and what your testimony is will become manifest, and to what extent your testimony differs from Exhibit No. 1, then of course Exhibit No. 1 will be in error, is that correct?

Mr. HODGE. Well—

Mr. HUBERT. Suppose we do it this way: Let me question you and then we will talk a little while about Exhibit No. 1. What was your first contact with the entire matter of the assassination of President Kennedy?

Mr. HODGE. When it came in over the radio that he had been killed with a 7-millimeter rifle, my wife and myself—we got our book and started checking to see who we had sold a 7-millimeter rifle to.

Mr. HUBERT. Did you sell a 7-millimeter rifle?

Mr. HODGE. Yes; several of them—yes.

Mr. HUBERT. When did you first hear this report?

Mr. HODGE. Oh, it must have been right after the—I don't even know what time it was—it was right after dinner.

Mr. HUBERT. On the 22d of November, is that it?

Mr. HODGE. I guess so.

Mr. HUBERT. It was right after the President was shot, I take it—some time right after?

Mr. HODGE. That was the day he was shot.

Mr. HUBERT. You heard over the radio that he had been shot with a 7-millimeter rifle?

Mr. HODGE. Yes.

Mr. HUBERT. And you and your wife proceeded to check your records to see whether you had sold any such rifle to anyone?

Mr. HODGE. And then I called the FBI and they came down. They sent an agent down and we showed him who we had sold them to, and I think later that afternoon another one came back and wanted to know who we sold the ammunition to, and I told him about three fellows that had uniforms on with a bread truck—uniforms, you know, and they took those descriptions and wasn't going to check into that.

Mr. HUBERT. What happened next?

Mr. HODGE. Well, that night I went home—that afternoon at 6 o'clock and Capt. Will Fritz called me and asked me to come—if I could come by or he would send a squad car out and pick me up.

Mr. HUBERT. Did you know Captain Fritz?

Mr. HODGE. Oh, I know them all well.

Mr. HUBERT. What time was it that he called you?

Mr. HODGE. It was approximately 11:30.

Mr. HUBERT. That night? That was 11:30 at night?

Mr. HODGE. Yes, sir.

Mr. HUBERT. What did he want you to do?

Mr. HODGE. He wanted me to come down and look at the guns and see if I could identify them, or if I had ever seen them before.

Mr. HUBERT. I understand you to say that he offered to send a squad car for you?

Mr. HODGE. Yes; and I told him I had to go down and close the bar down and

I was on my way to town and that that would be unnecessary and I would come by, and he told me to park my car down in the basement, and I said "The police may not want me to," and he said, "Tell them I said so," so I pulled down in the basement and I couldn't find a place to park, and I parked in front of some cars, detectives' cars—plain cars, and I went up on the elevator.

Mr. HUBERT. I think you said something about having a dog in your car?

Mr. HODGE. I have a Dalmatian dog, watchdog.

Mr. HUBERT. You left him in the car?

Mr. HODGE. I left him in the car.

Mr. HUBERT. You then proceeded from the basement to what floor?

Mr. HODGE. The third floor.

Mr. HUBERT. How did you go?

Mr. HODGE. On the elevator.

Mr. HUBERT. Were you escorted by anyone?

Mr. HODGE. No; not until I got in.

Mr. HUBERT. You took the elevator in the basement?

Mr. HODGE. Yes, sir.

Mr. HUBERT. When you got off, what happened?

Mr. HODGE. When I stepped out, three policemen stepped in front of me and said, "What do you want up here?" and I said, "Captain Fritz sent for me" and one of them went into Captain Fritz' office and came back and two of Captain Fritz' detectives—they were.

Mr. HUBERT. In plain clothes?

Mr. HODGE. In plain clothes, and they got me and escorted me into his office.

Mr. HUBERT. Captain Fritz' office?

Mr. HODGE. Yes, sir; and we had just sat down and the lady on the desk that answered the phone and she said, "Mr. Hodge, your dog will not let the detectives get their car, would you mind going back down and moving it?" and two of the detectives escorted me back down.

Mr. HUBERT. What time was it then?

Mr. HODGE. That was about 11:45.

Mr. HUBERT. Captain Fritz called you at about 11:05?

Mr. HODGE. A little after 11.

Mr. HUBERT. How do you fix the time of that initial call by Fritz?

Mr. HODGE. Well, I left my house at 11:30 and I usually get down to my store—it takes me about 20 minutes, and we close the place down at 12, the bar, and so it gives me about 30 minutes from my home to the bar, and I was finishing shaving and getting ready to leave to come back to my bar.

Mr. HUBERT. So you left your house about what time?

Mr. HODGE. About 11:30.

Mr. HUBERT. And that means that you got to the jail about what time?

Mr. HODGE. About 11:45 or 11:50.

Mr. HUBERT. Then, by the time you got the call to go back out again to move your car it was near 12 o'clock?

Mr. HODGE. It was around 12 o'clock. Yes; probably 5 minutes until 12; I would say.

Mr. HUBERT. Who was in Captain Fritz' office when you went in first?

Mr. HODGE. Well—

Mr. HUBERT. Was Oswald there?

Mr. HODGE. I didn't see Oswald. I have never seen him except on TV, but Captain Fritz has one office—I don't know which office is his, but the one on the left has a glass window in it, and when I went in this hallway, out in the hallway where all the TV cameras was, there was another hallway, and Captain Fritz waved at me—he seen me through this glass and there was several people in there with him, and I went on in a little office not quite as big as this and sat down. There was four or five people there, and the lady on the desk—the phone rang, and she said, "Mr. Hodge, you left a dog down in your car and the detectives wants to move that car and they can't move it, and would you go down and move it," and two of the detectives got up and went with me to the elevator and got on the elevator.

Mr. HUBERT. They were in plain clothes?

Mr. HODGE. Yes.

Mr. HUBERT. You don't know their names?

Mr. HODGE. No; so several other people came in on the elevator and this fellow who turned out to be Jack Ruby was right up against me and he turned around and he said, "Hello, there, Hodge, how are you getting along?" and shook hands, and I looked at him and I knew I knew him but it didn't dawn on me who he was. I couldn't think of his name although it had been 3 or 4 years since I'd seen him.

Mr. HUBERT. How had you known him in the past?

Mr. HODGE. Well, when he first got to Dallas, I guess, he took over his sister's lounge, which is further down Ervay Street, and a lot of nights you know, he would come up there after he closed his place up, which would be 1 or 2 o'clock, you know, and I would still be cleaning up and he would visit, being down below me there, and he would ask me my opinions how to operate a bar and so forth and all.

Mr. HUBERT. So you had known him what—10 or 15 years?

Mr. HODGE. Yes, about that, but I hadn't seen him in the last 4 or 5 years.

Mr. HUBERT. All right, so you got on the elevator with the two detectives who were escorting you down and some other people got on and among the other people was a man you now identify as Jack Ruby?

Mr. HODGE. Yes; and the next day—Sunday—

Mr. HUBERT. Wait a minute—let's not get to that yet. So, he turns around and what did he say—did he address you or you address him?

Mr. HODGE. He addressed me.

Mr. HUBERT. What did he say to you?

Mr. HODGE. He stuck out his hand and I took his hand and shook hands with him.

Mr. HUBERT. And then what was said?

Mr. HODGE. He said, "What are you doing up here?"

Mr. HUBERT. He asked you that?

Mr. HODGE. The very words, and I said, "They've got me arrested"—just like that.

Mr. HUBERT. You said, "They've got me arrested"?

Mr. HODGE. Yes; and I felt that that would be all of it—I didn't want to tell him why or go into any details as to what I was doing up there because it wasn't none of his business, and he said, "You're kidding. You fellows don't have him arrested, do you?"

Mr. HUBERT. Who did he say that to?

Mr. HODGE. To the two detectives. He said, "You fellows don't have Hodge arrested, do you?" And, they just laughed—they didn't answer back, and he turned around to me and he said, "What do you know about it?" And I said, "It's a long story." By that time he was at the main floor, so he gets off on the main floor and we go on to the basement and move my car and these two detectives escort me back up to Captain Fritz' office. We went back in there, waded back through these TV cameras back into his office, and Mr. Baker—I didn't even know it was Baker until today, and he called me and told me, he said, "Mr. Hodge, I'm the man that took you from Captain Fritz' office up to the fourth floor and showed you the guns", and when I looked at them, I said, "I'd never seen those guns before," and so that was all of it and I left.

Mr. HUBERT. In other words, after you moved your car and went on up with the same two detectives who brought you down, you went to the third floor—you went back to Captain Fritz' office, and then you went to the fourth floor where the guns were?

Mr. HODGE. Baker took me up there.

Mr. HUBERT. Then you looked at the guns and you didn't identify them. How did you get out?

Mr. HODGE. I just come back and got on the elevator and went on down in the basement.

Mr. HUBERT. Did anybody have to identify you to get out?

Mr. HODGE. No.

Mr. HUBERT. Did Baker come with you?

Mr. HODGE. I believe he did. He come back to the elevator and he got off, I think, on the—I'm not positive about that, but he could have gotten off on

the third floor, and this FBI agent and I want to say his name is Wilson, but I'm not positive, who I had called that day and he had been down to the store and checked the books with me—he was on the elevator too and I spoke to him.

Mr. HUBERT. This was when you were going down to go home?

Mr. HODGE. That's right.

Mr. HUBERT. What time was it when you left the police station?

Mr. HODGE. Well, I didn't go home—I went to my store.

Mr. HUBERT. What time was it when you left the police station?

Mr. HODGE. Well, I think I got to the store approximately 12:15. There was two FBI agents waiting there for me when I got there, and so they told me they wanted to see me, and we walked on into the bar, I mean, into the gun-shop and they said, "Mr. Hodge," and they showed me their badges and all that about themselves—identified themselves, and they said, "there's an operator in Fort Smith, Arkansas that got an anonymous call this afternoon stating 'If you want to know who killed the President, check with the manager of the Buckhorn Bar.'" I said, "That could be one of my bartenders or it could be he probably threw some drunk out and he just wanted to be important and wanted to get back at the bartender," and they said, "Well, don't think nothin' about it." They said, "We got one call this afternoon, Mr. Hodge, from a woman that told us that her husband just confessed to killing the President," and so that was that.

Mr. HUBERT. What was the purpose of the FBI visit to you—to check out this call, you say?

Mr. HODGE. Yes; yes, that was their purpose, I guess. That's what they said.

Mr. HUBERT. Did they ask you whether you knew Oswald?

Mr. HODGE. Oh, yes; they did.

Mr. HUBERT. Had you ever in fact seen Oswald?

Mr. HODGE. I have never seen him in my life that I know of.

Mr. HUBERT. Had you sold a gun to Ruby?

Mr. HODGE. No.

Mr. HUBERT. You never sold a gun to Ruby?

Mr. HODGE. I think Ray's Hardware sold that gun, so I've been told.

Mr. HUBERT. What time was it, when you saw Ruby on the elevator?

Mr. HODGE. It was right within 10 minutes, I'd say 10 minutes till 12 or 12 minutes to 12.

Mr. HUBERT. And he got off on the main floor?

Mr. HODGE. Yes.

Mr. HUBERT. And you went down one level further?

Mr. HODGE. Yes; we went on to the basement.

Mr. HUBERT. Do you know anything about an assembly room meeting where Oswald was first shown to all the press who congregated in the assembly room of the police department?

Mr. HODGE. That's the first time I had been up there and the last time to Captain Fritz' office—and I don't know when I have ever been up to Captain Fritz' office.

Mr. HUBERT. You don't know anything about this showing of Oswald to the newsmen assembled in the assembly room downstairs about this time?

Mr. HODGE. No, sir.

Mr. HUBERT. Did the police seem to know Ruby, that is, the ones who were escorting you?

Mr. HODGE. They just laughed—that's all that was said. They never answered him.

Mr. HUBERT. In other words, he asked them, "Is it true that you've got him under arrest?"

Mr. HODGE. He said, "You fellows don't have Hodge under arrest, do you?" and they just laughed.

Mr. HUBERT. Did he seem to catch the joke or understand or did he seem to believe that you were under arrest?

Mr. HODGE. Well, he was standing to my side and I didn't turn around and look at him. I didn't notice the expression on his face. When he looked across over to these detectives, they was over on the right-hand side and I was in the

back—in the back of the elevator and it didn't dawn on me who he was until the next day when I was out at Red Jackson's.

Mr. HUBERT. You mean was the 24th?

Mr. HODGE. Yes; on Sunday. Yes—on Sunday, the following Sunday when Ruby is supposed to have shot Oswald, when this Congressman called and asked Mr. Jackson and said that Jack Ruby shot him, I said, "My God, that's who rode the elevator down with me. I knew I knowed him but I didn't recognize him" and I said, "I didn't recognize him until now."

Mr. HUBERT. All right—a couple more questions—

Mr. HODGE. Pardon me—that same Sunday that this had happened, that afternoon I had some friends from Waco come up and they were gun collectors and they had an auction out here and after I left Mr. Jackson I went by the auction and went back to the gunshop and they went with me and we were in the gunshop and there was two more FBI agents came in and we walked back to the back and they showed me a picture of a striptease girl that had worked for Jack Ruby and wanted to know if I knew her and if I knew her whereabouts and I had never seen the girl before, because I don't visit those places, and I had never been in one of Jack Ruby's places, because I've got my hands full tending to my own business, and also, they wanted to know if I ever seen Jack Ruby and Oswald together, and I'd never seen Jack Ruby for 4 years or longer.

Mr. HUBERT. Now, returning to your statement, which has been identified as Exhibit No. 1, it appears that the third paragraph of that statement is completely at variance with what you have just testified to. That is to say, that paragraph indicates that he asked you "whether they had arrested you," whereas your testimony is that you in a semiserious manner indicated to him that you were under arrest and he asked you whether you weren't kidding and then turned to the police—

Mr. HODGE. No; he didn't say, "Are you kidding." Yes; he did—he said, "You're kidding," but I said it low, I didn't want to go into detail why I was up there and it wasn't none of his business and I knew I knew him but I didn't know just who he was at the moment, and I just—I don't know why you would say those things, but I did.

Mr. HUBERT. Well, in any case, the point I'm trying to make is that this third paragraph is deficient in two ways: One is that it has him asking you whether you were under arrest, whereas, you, in fact, told him in the manner you have described, that you were under arrest, and then he asked you whether you were kidding or not, and you told him "No," and he asked you what you had to do with it, and you said, "It's a long, long story" and all of which is not in this paragraph, nor is there in this paragraph the portion about his turning to the police and asking them if it was true, and their laughing about it. That's not in here either?

Mr. HODGE. Well, I told those agents just like I've told you.

Mr. HUBERT. Yes; I understand that, but in any case—all I'm trying to do is to reconcile Exhibit No. 1 with your testimony, and in order to do so I have to bring out that this third paragraph of Exhibit No. 1 and as it is here is incorrect and incomplete—both; is that correct?

Mr. HODGE. Yes.

Mr. HUBERT. And that the statement you have given us here is what is the truth and is what you say you did tell the FBI agents?

Mr. HODGE. Yes, sir.

Mr. HUBERT. All right. Prior to the beginning of your testimony, you had conversed with me a bit along the lines that I have questioned you about, and is it not a fact that all of the matter that we talked about prior to the beginning of this deposition has now been brought out in the course of the deposition? To put it another way, that we have not—that we did not discuss prior to the taking of this deposition anything which has not been covered in the deposition?

Mr. HODGE. I believe that's right.

Mr. HUBERT. Because—if you can think of anything that we talked about that has not been put down in the record, I want to get it in. I can't think of anything, but I'm asking you?

Mr. HODGE. Well, now, yesterday and today I called Captain Fritz and also

Mr. Baker and they both promised to get the names of those two detectives that took me downstairs on that elevator and get them to verify the fact that—

Mr. HUBERT. That Ruby was there?

Mr. HODGE. Yes; that Jack Ruby was there, and that he said those words, and I didn't recognize Jack Ruby on that elevator until the next day out at Mr. Jackson's and when they said Jack Ruby had shot Oswald.

Mr. HUBERT. Now, you say that you did say to the FBI people when they interviewed you on the 24th that you had gone down on the elevator with two detectives and with Ruby? You told them that, although it doesn't appear in this exhibit?

Mr. HODGE. Now, which is the 24th?

Mr. HUBERT. The 24th is Sunday.

Mr. HODGE. Yes; I told them that Sunday afternoon.

Mr. HUBERT. You told them Sunday afternoon that you had gone down the elevator in the company of two detectives and Jack Ruby?

Mr. HODGE. Yes.

Mr. HUBERT. Have you told that to anyone else since?

Mr. HODGE. Oh, I've told it to several people—the detectives, Captain Fritz, and all of them, they knew that.

Mr. HUBERT. Have you heard from Captain Fritz about who those two men were?

Mr. HODGE. No; he hasn't called me. He had Baker to call me and Baker told me, he said, "Mr. Hodge, now"—

Mr. HUBERT. That's today—Baker called today?

Mr. HODGE. Yes; Baker called this morning. He said, "I'm the one that took you from Captain Fritz' office up to the fourth floor and showed you the gun," and he said, "I'll find out who the two boys was that escorted you back down to the basement to move your car."

Mr. HUBERT. Did you ever tell Captain Fritz that you had gone down the elevator with Ruby and two detectives?

Mr. HODGE. I told him that day before yesterday.

Mr. HUBERT. No; I mean prior to that time?

Mr. HODGE. No; I don't think I had. No, sir.

Mr. HUBERT. But you had told the FBI people?

Mr. HODGE. I sure did. I told them the whole story. I said—I guess this is the same—is this the two that questioned me about the telephone call?

Mr. HUBERT. I don't know, sir. This is the interview by Agents Anderton and Hardin.

Mr. HODGE. I used to know practically all those agents down there—the FBI agents—when Murphy was there and the agent in charge before him, and I used to keep their file in my place.

Mr. HUBERT. These are the agents who interviewed you on Sunday, not on Friday or Saturday?

Mr. HODGE. Yes; you see, that was Sunday afternoon after I found out—it dawned on me who Jack was—and it was about 5 o'clock in the afternoon, I'd say, when they came in the gunshop.

Mr. HUBERT. Were you ever interviewed thereafter, after Jack Ruby shot Oswald, by the Dallas police?

Mr. HODGE. No.

Mr. HUBERT. The only other interview you had was with the FBI?

Mr. HODGE. That's right, but I told all those detectives with homicide, the different ones that have been in my place, and I repeated just what I've told you, that it was Jack Ruby that rode down on the elevator and asked me those questions.

Mr. HUBERT. And that there were two Dallas Police Department detectives with you and him, Ruby, on the elevator at the time?

Mr. HODGE. That's right.

Mr. HUBERT. You have told that to others?

Mr. HODGE. To numerous others.

Mr. HUBERT. Can you mention any names?

Mr. HODGE. No.

Mr. HUBERT. Now, when you spoke to Captain Fritz about it the other day, that was the first time you had talked to Captain Fritz about that aspect; is that correct?

Mr. HODGE. Yes.

Mr. HUBERT. Did he seem to be surprised?

Mr. HODGE. No. He was on the telephone.

Mr. HUBERT. But he said he would try to find out who those people were?

Mr. HODGE. Yes.

Mr. HUBERT. And then you've had a call from Baker and who identified himself as having escorted you to the fourth floor and Baker said he would try to find out who the other two men were and let you know, but he has not done so up until now; is that right?

Mr. HODGE. That's right.

Mr. HUBERT. What was it that suggested to you that you ought to have the names of those men?

Mr. HODGE. Well, it would verify that he did ride the elevator down with us and that the conversation did take place.

Mr. HUBERT. In other words, it was after you got the letter from Mr. Rankin asking you to appear here today that it occurred to you that you ought to have the names of those men so that you could tell me those names if I asked you about it; is that correct?

Mr. HODGE. That's correct.

Mr. HUBERT. And that's when you called Captain Fritz just yesterday, Thursday, June the 25th?

Mr. HODGE. That's right and he told me, he said, "I'll tell you, I've got a bunch that works days and nights and I'll have to question all of them, but I'll find out which one it was."

Mr. HUBERT. Do you think you could recognize those men if you saw them?

Mr. HODGE. You know, I thought it was Potts and Baker, but they say Potts works burglary and theft, but they could have had some of the burglary and theft men over there.

Mr. HUBERT. Baker is the one that took you up on the fourth floor?

Mr. HODGE. Yes; that's what he verified today.

Mr. HUBERT. But Baker was not one of the men who took you downstairs?

Mr. HODGE. I wouldn't swear to it—of course, they may not want to come forth and tell it, you see, but there's nothing to hide, and if it will help, I think that they should do it.

Mr. HUBERT. Do you expect to hear from Captain Fritz still?

Mr. HODGE. I'm going to call him back and see what he's found out, but they agreed to call me back.

Mr. HUBERT. Did he know what time you were going to appear here today?

Mr. HODGE. I told him today at 2:30—told Baker.

Mr. HUBERT. All right, sir. I think that's all, and I thank you very much.

Mr. HODGE. I only hope this will be of some help to you. If you're down that way on Ervay Street, stop by my gunshop.

Mr. HUBERT. Well, I'll tell you, I have depositions all tonight and tomorrow in the day and it's very unlikely I'll be able to do it.

Mr. HODGE. I have a lot of antique guns and modern guns too, although you may not be interested in them.

Mr. HUBERT. Well, I don't know much about guns. Frankly, I would like to say I would accept your invitation, but I know I am going to be busy tonight and tomorrow with these depositions.

Mr. HODGE. I'm not throwing myself no bouquets, but I have always cooperated with the FBI, and as I say, they fingerprinted me, they took my life history and everything and they turned their file over to me. I had several agents I was good friends to in the past, and you can find out by talking to two or three, and of course, they move them about, but you can find out that there were some criminals, you know, that would be in that bar, and I opened up this gunshop and it's just around the corner from the bus station and these drifters come in and go through, and they will verify what I told you.

And, I'll tell you—some people call you a stool pigeon and it looks to me like

you can be a good citizen, but the courts won't protect you on these things. This fellow that killed this man and woman out here—if you've got a minute?

Mr. HUBERT. Yes.

Mr. HODGE. Well, Captain Fritz' men came by with a shell, a Peters Wad Cutter, and that's this man and woman that got killed a few days ago out here and it has no concern with this case, but anyway, I checked my book and I found where I sold that man a gun and a box of ammunition, and they couldn't find nobody else that had that particular kind of ammunition, they said, so I called Captain Fritz and gave them that information and they went out and called me back in 2 hours and they said, "Boy, you're just as right as rain," and I give them a list of all the .45 automatics I had sold, and so they went out and picked up this bloody uniform and got a confession from him and he admitted everything and got the gun and the amount of ammunition that they found at the scene plus what was in the box, and so I cooperate fully with them, but you stick your neck out. Some of those characters—if this man gets out on bond, what's to keep him from coming down there and killing me? But I believe it's being a good citizen if you know anything, to come forth with it and tell it.

Mr. HUBERT. Now, do you know anything other than what you've said to me or anybody else that you would like to say about this matter?

Mr. HODGE. Everybody's got an opinion and it's talked around—of course—there's pro and con, but they all seem to think that—I have heard different ones talking and they seem to think that there is a connection there between those two, Oswald and Ruby, and that probably Ruby was—I guess you know about him, that they found a bunch of money—about \$10,000 in his apartment, and people talking say it's payoff money, but I don't know nothing. That's the first time I'd seen that Jack Ruby in 4 or 5 years and it didn't dawn on me who he was, and I just thought I'd just shut him up, and when he asked me that, I just said in a low voice, "They've got me arrested," and he said, "Oh, you fellows don't have Hodge arrested, do you?"

Mr. HUBERT. No; what I was trying to get at—is there anything you have not stated to anyone, any facts or knowledge that you have concerning Ruby or Oswald or the assassination of the President that you haven't told anybody that you want to take advantage of this occasion to say it?

Mr. HODGE. If there is, I don't recall what it is, because I've told you just straight down the middle of what had happened.

Mr. HUBERT. Well, I didn't know what you were leading up to awhile ago and perhaps it was nothing at all, but as I say, if there's anything you want to say, you could say it now, you know?

Mr. HODGE. Yes; and I would, but that's it.

Mr. HUBERT. All right, thank you, sir; very much.

Mr. HODGE. Thank you a lot. Thank you.

TESTIMONY OF DAVID L. JOHNSTON

The testimony of David L. Johnston was taken at 2 p.m. on June 26, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Leon D. Hubert, Jr., assistant counsel of the President's Commission.

Mr. HUBERT. This is the deposition of David L. Johnston.

Mr. Johnston, my name is Leon Hubert. I am a member of the advisory staff of the general counsel of the President's Commission on the Assassination of President Kennedy. Under the provisions of Executive Order 11130 dated November 29, 1963, and the joint resolution of Congress No. 137 and the rules of procedure adopted by the Commission in conformance with the Executive order and the joint resolution, I have been authorized to take this sworn deposition from you. I state to you that the general nature of the Commission's inquiry

is to ascertain, evaluate and report upon the facts relative to the assassination of President Kennedy and the subsequent violent death of Lee Harvey Oswald.

In particular, as to you, Mr. Johnston, the nature of the inquiry today is to determine what facts you know about the death of Oswald and any other pertinent facts you may know about the general inquiry and about Jack Ruby and his operations, movements, and associates.

Now, I think you have appeared here today by virtue of a letter addressed to you by Mr. J. Lee Rankin, general counsel of the staff of the President's Commission, asking you to be present, is that correct?

Mr. JOHNSTON. That is correct.

Mr. HUBERT. What is the date of that letter, do you have it?

Mr. JOHNSTON. The letter is rubber stamped June 22, 1964.

Mr. HUBERT. And you received it when?

Mr. JOHNSTON. It was received in the U.S. Post Office, Dallas, Tex., on June 23, and had to be forwarded to the Post Office at Richardson, Tex., where it was received on June 24, and I received the same on June 24, 1964 at 12:10 p.m.

Mr. HUBERT. Under the rules of the Commission which you have probably complied with here, every witness has a right to a 3-day written notice before their deposition can be taken, counting from the date of the letter, but in any case the rules provide that a witness may waive the 3-day notice.

Mr. JOHNSTON. I will waive that at this time, if it's involved here; yes, sir.

Mr. HUBERT. Thank you. Would you rise and be sworn.

Do you solemnly swear that the testimony you are about to give in this matter shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. JOHNSTON. I do.

Mr. HUBERT. Will you state your name, please, sir?

Mr. JOHNSTON. I am David L. Johnston.

Mr. HUBERT. How old are you, sir?

Mr. JOHNSTON. I am 36; I believe.

Mr. HUBERT. What is your address?

Mr. JOHNSTON. My residence address is 100 North Dorothy in Richardson, Tex. My office address is in the County Government Center, 1411 West Beltline Road, Richardson, Tex.

Mr. HUBERT. What is your occupation?

Mr. JOHNSTON. I am the elected justice of the peace, precinct No. 2 of Dallas County, Tex.

Mr. HUBERT. Are you a lawyer too?

Mr. JOHNSTON. No, sir; I am not an attorney.

Mr. HUBERT. What term are you serving?

Mr. JOHNSTON. I am serving my second elected term, which expires December 31, 1966.

Mr. HUBERT. The term is for how long?

Mr. JOHNSTON. Four years.

Mr. HUBERT. You have been in that office for how long?

Mr. JOHNSTON. I took office January 1, 1959. Prior to that I was with the Dallas County Sheriff's Department for 9½ years.

Mr. HUBERT. Under Sheriff Decker?

Mr. JOHNSTON. Under Sheriff Decker; yes.

Mr. HUBERT. What are the general duties of the justice of the peace in Texas?

Mr. JOHNSTON. The justice of the peace in Texas has civil jurisdiction up to \$200 in civil matters; has misdemeanor jurisdiction as provided by the statutes for criminal offenses of a misdemeanor nature in which the fine does not exceed \$200 plus the costs. He is the acting coroner under our statutes. He is a magistrate. He can hold courts of inquiry, issue search warrants or any process relevant to a felonious act in the State of Texas.

Mr. HUBERT. How many such justices are there in Dallas County?

Mr. JOHNSTON. In Dallas County there are 10.

Mr. HUBERT. Is it based on geographical area division?

Mr. JOHNSTON. It is divided into precincts, but in criminal matters, the 10 have coextensive jurisdiction with the county and in some cases with the

State. Our warrants of arrest, for instance, are valid anywhere in the State of Texas.

Mr. HUBERT. Are you elected by the people of the precinct?

Mr. JOHNSTON. By the people of the precinct; yes, sir, and that's by the precinct level.

Mr. HUBERT. And that's a geographical area?

Mr. JOHNSTON. Yes, sir.

Mr. HUBERT. Now, prior to November 22, 1963, did you know Jack Ruby?

Mr. JOHNSTON. I have seen Jack Ruby, I did not know him personally—have never been introduced to him; no, sir.

Mr. HUBERT. Where had you seen him?

Mr. JOHNSTON. I've seen him in downtown Dallas. I saw him one night in front of the Vegas Club on Oaklawn. I have seen him around the courthouse.

Mr. HUBERT. People have pointed him out to you?

Mr. JOHNSTON. The night at the Vegas Club, an officer said, "That's Jack Ruby." That's all I can tell you there. Like I said, I've never met the man—I had never met the man until Friday night, November 22, or the early morning of November 23.

Mr. HUBERT. But he was a character apparently that people would point out to a man of your standing, that is to say, as being a character in the Dallas area?

Mr. JOHNSTON. Yes; this is possible. Like I say, I'm sure that there has been other occasions that I've seen the man. I just can't recall them at this time.

Mr. HUBERT. On the 22d or the 23d, at anytime when you did see him, you recognized the face and of course you recognized the name?

Mr. JOHNSTON. No, sir; I didn't recognize him as such. To clarify that, as stated in the report that I gave to the FBI—this is the card that Mr. Ruby handed to me after Mr. Oswald had been removed from the police detail room. He handed me this card and introduced himself to me as Jack Ruby. He was present in that room the whole time that Oswald was in the detail room, which was the late night of November 22 and the early morning of November 23, from approximately 11:30 p.m. until maybe 12:15 a.m.

Mr. HUBERT. Was that in the assembly room?

Mr. JOHNSTON. Yes, sir; in the detail room or the assembly room of the police department.

Mr. HUBERT. It is also used as the showup room?

Mr. JOHNSTON. Yes; it's used as the showup room and the showup screen was right behind where Oswald was standing and Ruby was standing—if this was the actual room, the showup room would be at my back now, which would be the south wall of this room. Oswald was standing in the aisleway here in front of the desk.

Mr. HUBERT. In front of the screen.

Mr. JOHNSTON. Ruby was in the same row back behind two tables with chairs in front of them. I was standing on the little podium with Mr. Henry Wade, the district attorney of Dallas County, and a couple of the Dallas police officers and I can't at this time recall who they were, but we were standing on the podium part and were about 10 feet from Oswald. Mr. Ruby was, I would say, from 18 to 22 feet out in front of us.

Mr. HUBERT. When did you first notice him there?

Mr. JOHNSTON. When he came up and introduced himself to me.

Mr. HUBERT. That was after Oswald had been removed?

Mr. JOHNSTON. That was after Oswald had been removed from the room. Chief Curry ordered him removed because the newspaper people started milling a little too much, which he told them he was going to do, and he removed him from the room.

Mr. HUBERT. But your thought was and is now that Oswald was in that room for approximately 30 or 40 minutes?

Mr. JOHNSTON. No, sir.

Mr. HUBERT. You said it was between 11:30 and 12:15?

Mr. JOHNSTON. Yes; it was between 11:30 and 12:15, but I would say that they had Oswald in that room less than 10 minutes.

Everyone was in there and set up. Chief Curry came in and told them

that they would have to remain still, that if they started milling or if they started moving he was going to remove the suspect, which when they did, he removed him.

Mr. HUBERT. How long were you in the room prior to the time Oswald was brought in?

Mr. JOHNSTON. I would say probably 10 minutes, maybe 15.

Mr. HUBERT. Did you observe Ruby during the time that you were in the room prior to the time Oswald came in?

Mr. JOHNSTON. I can say that he was in the room because I was watching everyone that was in the room.

Mr. HUBERT. But he actually didn't introduce himself until Oswald left?

Mr. JOHNSTON. Until Oswald had been removed; yes, sir.

Mr. HUBERT. Was he standing on a table or chair or something like that?

Mr. JOHNSTON. I believe that at one time he was either on a chair or the table. When I first noticed the man he was standing on the floor, and I believe towards the last he was up either on a chair or on a table.

Mr. HUBERT. Did he make any statement or make any kind of comment at all at any time?

Mr. JOHNSTON. Something like "It's horrible, isn't it horrible?" or something of that nature.

Mr. HUBERT. That was to you yourself?

Mr. JOHNSTON. To me and to Mr. Henry Wade, the district attorney of Dallas County.

Mr. HUBERT. That was after Oswald had been removed?

Mr. JOHNSTON. That was after Oswald had been removed. He came up shortly after one of the newspaper media had just finished interviewing Mr. Henry Wade. He was standing behind that person during the interview and when he finished that was when he introduced himself, both to Henry Wade and to me.

Mr. HUBERT. Then, did he make any comment?

Mr. JOHNSTON. Just this—"It's horrible" or "Isn't this awful" or something to that effect.

Mr. HUBERT. What was his general demeanor or attitude?

Mr. JOHNSTON. I personally would say that the man had control of himself, that he did not seem to me that he was away out in space or anything like that; he was coherent.

Mr. HUBERT. Did he seem to be grieving?

Mr. JOHNSTON. No, sir; at that time I don't think he was, other than this statement, as I said, that he made—"Isn't it horrible, isn't it terrible?"—something to that effect.

Mr. HUBERT. Would you judge that to be a commonplace statement of the day—that everybody was saying?

Mr. JOHNSTON. Yes; I certainly would.

Mr. HUBERT. Were you the justice of peace that arraigned Oswald?

Mr. JOHNSTON. Yes; I arraigned Lee Harvey Oswald—let me give you the sequence of them—that's the easiest thing to do. I brought the complete record and I have everything here. The first charge that was filed was for murder with malice of Officer J. D. Tippit of the Dallas Police Department in cause No. F-153, *The State of Texas versus Lee Harvey Oswald*. This complaint was filed at 7:05 p.m. on the 22d day of November 1963.

Mr. HUBERT. By whom?

Mr. JOHNSTON. By Capt. J. W. Fritz, captain of the homicide bureau, Dallas Police Department, was accepted by W. F. Alexander who is William F. Alexander, an assistant criminal district attorney of Dallas County, Tex., which was passed over to me at 7:05 p.m. The actual complaint was signed at 7:04 p.m. and I arraigned Lee Harvey Oswald at 7:10 p.m. on November 22, 1963, advising him of his constitutional rights and that he had to make no statement at all, and that any statement he made may be used in evidence against him for the offense concerning which this affidavit was taken, and remanded the defendant to the custody of the sheriff of Dallas County, Tex., with no bond as capital offense.

Mr. HUBERT. Is it within your jurisdiction to do that?

Mr. JOHNSTON. Yes, sir.

Mr. HUBERT. Where did that occur?

Mr. JOHNSTON. That was in Captain Fritz' office of the Dallas Police Department.

Mr. HUBERT. Who else was present?

Mr. JOHNSTON. Mr. Bill Alexander—William Alexander—an assistant district attorney; Captain Fritz—these are—if I can remember them—either two or three of the other homicide detectives; at least one Federal Bureau of Investigation agent, and which one I couldn't say at this time because we were just all in and out of there, and I'm almost sure it was one of the FBI agents, and which one, I couldn't say at this time because we were just all in and out of there, and I'm almost sure there was one of the FBI agents in the room and possibly a Secret Service agent.

Mr. HUBERT. Had you been called specially for this arraignment or did you happen to be there?

Mr. JOHNSTON. I was first called to handle the issuance of the search warrant involving the residence at 1026 North Beckley.

Mr. HUBERT. Did you issue that search warrant?

Mr. JOHNSTON. Yes; and not only did I issue the search warrant, I was requested by the officers to go with them and also Assistant District Attorney Bill Alexander was in on that search also, which turned out to be the room in which Lee Harvey Oswald had been living on North Beckley. I was present when that search was made and also seizure of the things that were in his room.

Mr. HUBERT. Under Texas law is a man charged with murder required to be brought before a committing magistrate, such as you, right away?

Mr. JOHNSTON. This can be done immediately forthwith before the magistrate or a reasonable period of time—within a reasonable period of time of the filing.

Mr. HUBERT. What occurs at such time—at such a proceeding?

Mr. JOHNSTON. In this particular incident, the complaint—the affidavit—was read to the defendant, Lee Harvey Oswald, at which time I advised him that this was merely to appraise him of his constitutional rights and what he was charged with.

Mr. HUBERT. This was not a court proceeding?

Mr. JOHNSTON. This was not the examining trial; no, sir. It was not the examining trial.

Mr. HUBERT. It did not call for a plea?

Mr. JOHNSTON. It required no pleadings whatsoever; no, sir. This was merely to appraise him of what he was charged with and to advise him of his constitutional rights.

Mr. HUBERT. Did he make any comment upon that at all?

Mr. JOHNSTON. Yes, sir; but I can't recall what it was. At this particular time he made some remark. Also at the second arraignment for the murder of President Kennedy, when he was brought through the door at this time, he said, "Well, I guess this is the trial," was the statement that he made then, but I don't remember what he said at the arraignment regarding Officer Tippit.

Mr. HUBERT. Now, let's pass to the arraignment concerning President Kennedy, and I wish you would dictate into the record the same information you did as to the first one.

Mr. JOHNSTON. All right, sir. This was the arraignment of Lee Harvey Oswald for the murder with malice of John F. Kennedy, cause No. F-154, *The State of Texas versus Lee Harvey Oswald*. The complaint was filed at 11:25 p.m., was accepted by me at 11:26 p.m. It was filed at approximately 11:25 p.m. by Capt. J. W. Fritz, homicide bureau of the Dallas Police Department, and was accepted by Henry Wade, criminal district attorney, Dallas County, Tex., and was docketed as cause No. 154, F-154 at 11:26 p.m.

Shortly after this is when the defendant was taken to the detail room or the assembly room.

Mr. HUBERT. What happened at this arraignment—was it the same as before?

Mr. JOHNSTON. He was not arraigned at this time. He was then arraigned after he was removed to the detail room where the press was allowed to have their first interview with the defendant, with Lee Harvey Oswald.

Subsequently in a conference between Captain Fritz, Mr. Wade, and two or three of his assistants and myself, and Chief Curry—it was decided to go ahead and arraign him and that arraignment was held at 1:35 a.m., November 23, 1963, in the identification bureau of the Dallas Police Department, and once again I appraised him of his constitutional rights, read the affidavit, and advised him again that I remanded him to the custody of the sheriff, Dallas County, denying bond as capital offense. He was also told at both of these instances that he would be given the right to contact an attorney of his choice.

Mr. HUBERT. Did he ask this at either of these occasions?

Mr. JOHNSTON. Yes, sir; that was one of the first things he said—that he wanted this man from New York of the Civil Liberties Union.

Mr. HUBERT. He said that to you?

Mr. JOHNSTON. Yes [spelling] A-b-t; however that's pronounced. He said he would like to have this gentleman and I told Oswald when he made that statement that he would be given the opportunity to contact the attorney of his choice.

Mr. HUBERT. Whose duty was it to see that he was given that opportunity?

Mr. JOHNSTON. The telephone would be made available to him to make any call he wished to make and that would have been advanced to him through the normal routine. He possibly could have been given this permission at the city jail and also had he ever made it to the county jail, here again he would have been given the opportunity to contact a lawyer.

Mr. HUBERT. In any event, you made it clear to him that he had a right to contact a lawyer?

Mr. JOHNSTON. That he had a right to be represented by counsel, that he had the right to make a telephone call to contact any person of his choice, and the assault to murder complaint, alleging the assault to murder of John B. Connally in cause No. F-155, *The State of Texas versus Lee Harvey Oswald*, this complaint was filed by Lt. Robert E. McKinney of the forgery bureau of the Dallas Police Department. This complaint was filed in my office at Richardson, Tex., at 6:15 p.m., on November 23, 1963, and the defendant was not arraigned in this case because he was already being held for two capital offenses. He would have been arraigned in this probably the following week had he lived.

Mr. HUBERT. Can you tell me how Ruby was dressed at the time you saw him?

Mr. JOHNSTON. As well as I can remember, the only thing I can say is a white shirt with a tie and a dark suit.

Mr. HUBERT. Did he have an overcoat on?

Mr. JOHNSTON. He either had the overcoat on or he had it over his arm. He did have an overcoat on.

Mr. HUBERT. What color was it?

Mr. JOHNSTON. I would say dark, is the best I can remember. He had on a hat also.

Mr. HUBERT. The time you spoke to Ruby was, as you have indicated, after Oswald had been taken from the assembly room and then Ruby came up and introduced himself to you and to Wade. Did you have any conversation with him at all?

Mr. JOHNSTON. I don't remember exactly what was said by myself or Ruby, but I do remember that it closed with—when he had given me his card and he says, "Come by and see me sometime at the club", and that was the closing statement that was made to me by Ruby.

Mr. HUBERT. Did you thereafter see him?

Mr. JOHNSTON. No, sir; only, I saw the incident of the shooting on the television, but I could not identify the man from the television picture.

Mr. HUBERT. When you saw him, did he have any kind of identification tag on?

Mr. JOHNSTON. A tag or anything; no, sir. There was nothing visible that I saw. Now, if I remember correctly, as I say, he may have had his overcoat over his arm—one arm or the other. He possibly could have had something on that overcoat, but I do not recall seeing any type of identification tag or an ID holder or anything hanging down that would show that he was a member of the press or an officer or anything else.

Mr. HUBERT. Now, he handed you his card and you said that at the time, he introduced himself to you and Mr. Wade. You have handed me here a 4-

page document on yellow legal-sized paper, lined, did you mean for me to have this?

Mr. JOHNSTON. You can read that if you want to—that's the only copy I have—no; I believe I do have a copy of that. I have furnished the FBI with a copy of this also. Here is a copy of it which I will be glad to give you and that's a photostatic copy made by me.

This is my report that I wrote up starting on Monday morning after all of these incidents had occurred. If I might answer—you also asked me if I was called—I was asked by Assistant District Attorney William Alexander when we were leaving the property on North Beckley to please come on to Captain Fritz' office at the Dallas Police Department for the purpose of being present to be able to accept a complaint and issue warrant, which was done.

Mr. HUBERT. When was that request made of you? I think the arraignment was at 7:05?

Mr. JOHNSTON. Yes, sir; and I think I could tell you approximately the time he asked me to, if I can find the time I have written in here when it was filed. I would say it was around 5 o'clock in the afternoon when he asked me—this search warrant was filed at 3:55 p.m. on November 22, and I also have a copy which I will give you of the officers' names who I personally know were involved in the investigation, officers whom I had contact with both at the Dallas Police Department and at the sheriff's office; to clear this up also, about how I came into this thing—my first contact—I was attending the luncheon, when one of the sergeants of the Dallas Police Department came to my table and asked me to please come with him, and I was then informed of what had happened, and was asked to go immediately to Parkland Hospital, and upon arriving there found Judge Theron Ward, the justice of the peace, Precinct 3, from Garland, handling the inquest on President Kennedy. They did not know Judge Ward and that's the reason they had called me, not knowing he was already there.

Mr. HUBERT. You have handed me a photostatic copy of the document I referred to a moment ago as being a 4-page document on yellow, legal-sized lined pads, and you are retaining the original, but have furnished me with a photostatic copy of it.

Mr. JOHNSTON. Yes, sir.

Mr. HUBERT. I have marked that document for identification with this deposition as follows: "Dallas, Texas, June 26, 1964, Exhibit No. 1 of the deposition of David L. Johnston," and I have signed my name. That's on the left margin of the first page, and I have placed my initials in the right lower corner of the second, third, and fourth pages. I notice that on the third page in the middle, there is a reproduction of a Carousel Club card and I state for the record that I have examined the original card which is attached to the third page loosely, and that the picture on the photostatic copy is identical, except that it doesn't show the color, the vertical lines being in sort of an orange color.

Mr. JOHNSTON. This is the card that was handed to me also, sir.

Mr. HUBERT. Yes, as I understand it—that was the card that was handed to you by Jack Ruby, and you have testified about that a little while ago. You also handed me a photostatic copy of another document which I have marked for identification: "Dallas, Texas, June 26, 1964, Exhibit No. 2 of the deposition of David L. Johnston," and I have placed my name under that on the left margin and on the second page in the lower right-hand corner I have placed my initials. I see that this is a photostatic copy, because I am examining it with the original, the original being on yellow legal-sized lined paper, and I compare them and state for the record that the photostatic copy which I have marked for identification is identical with the original which I now return to you.

Now, you stated that Exhibit No. 2 is a list of the people you know who had something to do with the examination in causes F-153, 154, and 155, is that correct?

Mr. JOHNSTON. That's correct, sir.

Mr. HUBERT. How did you obtain this information?

Mr. JOHNSTON. Part of these I took at the actual time, which was on November 22 and November 23. Some of them I had to obtain from the reports.

Mr. HUBERT. You mean the names?

Mr. JOHNSTON. The names of the officers; yes, sir.

Mr. HUBERT. Did you take any statements from these people?

Mr. JOHNSTON. From the officers—no, sir.

Mr. HUBERT. You just made up a list of people?

Mr. JOHNSTON. Yes; now some of these officers, of course, I have talked with in regard to this at the time the investigation was being made.

Mr. HUBERT. Is this part of your function as a justice of the peace, to do this?

Mr. JOHNSTON. Yes, sir.

Mr. HUBERT. Those are official records, I take it?

Mr. JOHNSTON. Yes, sir.

Mr. HUBERT. How long did you say you talked to Ruby altogether on this occasion on the 22d?

Mr. JOHNSTON. Three to five minutes.

Mr. HUBERT. After that you didn't see him any more?

Mr. JOHNSTON. No, sir; of course, I left the Dallas Police Department to go to my residence somewhere between 4 and 5 a.m. on the morning of November 23 and did not return to the Dallas police station at any subsequent period from then until the following Tuesday or Wednesday before I returned. I was called about an hour after the shooting of Oswald and put on standby notice, pending whether they could contact Judge Pierce McBride, justice of the peace, precinct 1, place 2 of Dallas County or Judge Davis, precinct 1, place 1. This man was in custody at the time he was shot, and under our rules of criminal procedure in the State of Texas, a prisoner dying while in custody—you are supposed to first try to contact the justice of the peace in whose precinct that particular death occurs. This is because he was incarcerated or in custody, and they subsequently did contact Judge McBride, who handled the inquest on Lee Harvey Oswald. I was on standby notice to handle this, but in this particular instance, they did get hold of Judge McBride.

Mr. HUBERT. I think you said that the press interview of Oswald in the assembly room at which you were present came to an end because the press seemed to be violating the condition which Chief Curry had laid down for the interview?

Mr. JOHNSTON. Yes, sir. Not drastically, but there was enough movement—my sincere feeling in this thing is that Chief Curry did everything that was humanly possible to do to protect Oswald, that his statement to the press before Oswald was brought in—to “get in position, stay there, do not move, do not try to stand up, when you do I'm going to remove him,” and as soon as this started—the milling got a little bit too much—I mean—he didn't call their hand—there were a bunch of them kneeling and that's a pretty uncomfortable position and he held some of them there for a pretty good while before they brought Oswald in, but when they started moving and attempting to stand up, which I think was just merely to stretch their legs and so forth, he took Mr. Oswald immediately out of that detail room.

Mr. HUBERT. Do you know whether any security precautions were observed in searching or “frisking” as the phrase is, the people who were allowed in the assembly room?

Mr. JOHNSTON. No, sir; to my knowledge there was none of that went on. However, there were at least—in that room, there were at least 50 or 60 officers.

Mr. HUBERT. And how many newspapermen?

Mr. JOHNSTON. Federal agents, local police officers, possibly one or two deputy sheriffs, the district attorney, two of his assistants, there were two or three private attorneys—private practicing attorneys that were in that room, there were three or four of the police department stenographers that were in that room, and possibly other than the press there may have been one or two other citizens—couldn't say for sure.

Mr. HUBERT. How many were present?

Mr. JOHNSTON. I wish I could answer that.

Mr. HUBERT. I gather from what you say that there must have been nearly a hundred people in that room?

Mr. JOHNSTON. There was every bit of a hundred people in that room.

Mr. HUBERT. Were the policemen armed?

Mr. JOHNSTON. Yes, sir; all of the officers as far as I know, other than the plainclothesmen—the uniformed officers all had their sidearms on. I'm sure the majority of the detectives had their sidearms on.

Mr. HUBERT. When you first went in, was the room empty or were there people in the room?

Mr. JOHNSTON. No, sir; because the sequence of this was that after Oswald was charged, Chief Curry, Captain Fritz, Henry Wade, and myself went to the door—Captain Fritz was the first to speak and he advised the press that we were going to move to the detail room or the assembly room, that Oswald had been charged with the murder of President Kennedy, and that they could go to the detail room in the basement, and that Chief Curry would then give them instructions, and then Chief Curry spoke to them and then Mr. Wade spoke to them, because there were several members of the press there that wanted a statement from Henry Wade before they moved away from that door. Then the hall was vacated, I would say, to the extent that there were only maybe 15 or 20 people left standing in that hall.

Mr. HUBERT. Everybody went downstairs?

Mr. JOHNSTON. Everyone went downstairs, and in order to let you know this, and I'm sure that others have stated this—it was almost a human impossibility to get down the hall to the homicide office. They finally had to bring uniformed officers in and stationed two uniformed officers at each door of the forgery bureau, the homicide bureau, the auto theft bureau, and the burglary and theft bureau so that people could be maneuvered down there to get in and out of these offices for other routine business. That's how packed it was with newspaper people in that hall.

Mr. HUBERT. There were television cameras there too?

Mr. JOHNSTON. They had two live television cameras set up there, they had one of these portable tape deals with a sound system on it and everything, right in front of the door.

Mr. HUBERT. So what happened is that after it was announced that there would be this interview granted, they all went down to the room?

Mr. JOHNSTON. They went downstairs to the room, and when I arrived there, I would say about 11:35 or 11:40, somewhere right along in there, the room was nearly full at that time with newspaper media.

Mr. HUBERT. So you don't know whether they observed any security precautions in checking people?

Mr. JOHNSTON. No, sir; they did not check me when I went through the door.

Mr. HUBERT. But you went in with Curry?

Mr. JOHNSTON. No, sir.

Mr. HUBERT. You went in alone?

Mr. JOHNSTON. No, sir; I went in alone.

Mr. HUBERT. There was no one one at the door checking?

Mr. JOHNSTON. There was some uniformed officers there. Now, I'll say this in full fairness to them—maybe some of them knew me, I don't remember, because I can't recall the officers names that were out there.

Mr. HUBERT. You had no identification on you?

Mr. JOHNSTON. No, sir. Of course, I've been an officer here a long time and also 6 years as justice of the peace.

Mr. HUBERT. You were a police officer prior to that time?

Mr. JOHNSTON. Nine and a half years as deputy sheriff of Dallas County.

Mr. HUBERT. Can you tell us what pressures, if any, were exerted by the press on Chief Curry to grant this interview? Did you hear them say anything or murmur or do anything at all?

Mr. JOHNSTON. Yes, sir; but as far as trying to tell you what any of them said verbatim—this was the main thing—

Mr. HUBERT. I don't mean verbatim, I just want to see if I can get the atmosphere of it.

Mr. JOHNSTON. There were many remarks made. Each time any one of us would go out the door from the homicide bureau, "When are we going to see Oswald? When are you going to let us talk to him?" Yet, Oswald was taken in and out of that room some five or six times while I was there. He was taken to the restroom. He was taken to get a drink of water.

Mr. HUBERT. When that was done with him, did he have to pass through this crowded area?

Mr. JOHNSTON. Yes, sir; those newspaper people—he certainly did.

Mr. HUBERT. Did they make any remarks to him or ask him questions?

Mr. JOHNSTON. They were asking questions—yes, sir; “Did you do it? Did they get the gun? Was that your gun?” Everything imaginable—that’s what your newspaper people were calling to him as he would go out of there. Every time I would leave to get a drink or get a cup of coffee or anything, it was the same thing. “What’s happened? Tell us what’s going on? Has he said anything? Has he admitted anything?”

Mr. HUBERT. Was there real pressure brought in the sense that the press was being denied any rights or that they thought that Chief Curry was curbing their rights as press people?

Mr. JOHNSTON. I think maybe to a degree some of the press might have thought they were being curbed, because they were not being allowed into the homicide office. It is a small office. It consists of an entrance office, the lieutenant’s office and the captain’s office, and an interrogation room, and a small office with a detective’s desk. There were some 25 or 30 officials that were in this office and it was pretty crowded. You couldn’t have let the press in. I think personally that pressures were put on Chief Curry by the news media.

Mr. HUBERT. In what way? Do you remember anything significant along that line?

Mr. JOHNSTON. Well, I think the chief bent over backwards to them, giving them every opportunity he could within reason to allow them to get their stories and to get their pictures and to get their live television. They even moved a live camera down to the detail room or the assembly room.

Mr. HUBERT. Was it used there?

Mr. JOHNSTON. Yes, sir; it was in operation when I walked in that room.

Mr. HUBERT. It was televised?

Mr. JOHNSTON. Yes, sir. Now, whether they taped it, whether it was live at that point—they had a live camera there set up.

Mr. HUBERT. In the room?

Mr. JOHNSTON. In the room—just inside the doorway of the assembly room, because you had to step over the cables to it to get into the assembly room.

Mr. HUBERT. Did you ever hear any such remarks like this one, “Well, we knew what Oswald looked like a few hours ago, but since he’s been in the hands of the Dallas police several hours, we don’t know what he looks like now.”

Mr. JOHNSTON. No, sir.

Mr. HUBERT. Or some side remarks like that?

Mr. JOHNSTON. I saw Oswald the first time and I imagine it was around 6 o’clock, and I was in Captain Fritz’ office with him at this arraignment. I have now seen pictures—the first pictures that were made of him. I have seen him there and seeing him during that evening and early the next morning, I saw absolutely no change other than maybe a little tiredness—no physical change in his appearances.

Mr. HUBERT. I did not mean to infer at all, let me get that straight, that any force was used.

Mr. JOHNSTON. Yes; I understand. I know what you mean.

Mr. HUBERT. But—I was saying to you that we have some information that the press, in an effort to get an interview, started making such accusations?

Mr. JOHNSTON. I did not hear any of these.

Mr. HUBERT. You did not?

Mr. JOHNSTON. No, sir. I’ll say this again in all fairness to the officers that were involved in this thing, with knowing the seriousness of this incident, the international importance of it—that Chief Curry and his subordinate officers made every effort to allow Lee Harvey Oswald to be seen by the press—to see that the man was not being physically abused, that he wasn’t being tortured in any way. I saw none of it personally myself. That would have been out of the realm of reasonableness. He was spoken to in a normal, calm voice by the officers who spoke to him, and I just can’t see it any other way except that

Chief Curry tried every way he could, with the national and international importance of this thing, to allow the press to make its coverage of it.

Mr. HUBERT. You never saw any indication of maltreatment of Oswald at all?

Mr. JOHNSTON. No, sir; none whatsoever in the period of some 7 or 8 hours that I was connected with it.

Mr. HUBERT. Oswald made no such accusations in your presence?

Mr. JOHNSTON. No, sir. As I say, the only thing he said was when he was brought in for the arraignment on President Kennedy, and he says to me, "Is this the trial?" I said, "No, sir; I have to arraign you again on another offense." And, there was some seven or eight officer witnesses to that arraignment and an assistant district attorney, and that assistant district attorney at that time was Mr. Maurice Harrell [spelling] H-a-r-r-e-l-l.

Mr. HUBERT. I believe that is all, sir. I'm obliged to ask you these questions to end it up; I don't think that we have had any conversation that has been off the record?

Mr. JOHNSTON. No, sir.

Mr. HUBERT. Nor any conversation prior to the beginning of this deposition?

Mr. JOHNSTON. No, sir.

Mr. HUBERT. So that all that has passed between us has been recorded?

Mr. JOHNSTON. That is correct, sir.

Mr. HUBERT. Thank you very much. I appreciate your coming down.

Mr. JOHNSTON. I hope that some of it might help shed a little light.

Mr. HUBERT. I'm sure it will. I'm sure they have copies of the affidavits?

Mr. JOHNSTON. Yes, sir; I'm sure they have. Those were turned over to the FBI, however, no one from the Commission has ever asked for those.

Mr. HUBERT. Could we make copies of those affidavits?

Mr. JOHNSTON. Yes, sir.

Mr. HUBERT. Then, I will mark the copies for identification. Mr. Johnston, you will furnish for me certified copies—you have shown me the originals of the affidavits, F-153, F-154 and F-155. We are going to have photostatic copies made of those. The originals will be returned to you, and when the photostatic copies are brought back to me, I will mark them for identification as follows, to wit: F-153 will be Exhibit No. 3 of the deposition of David L. Johnston, F-154 will be Exhibit No. 4 of the deposition of David L. Johnston, and F-155 will be Exhibit No. 5 of the deposition of David L. Johnston, which will be marked by me for identification after you leave, but these will be photostatic copies of the originals which will remain in your possession.

Mr. JOHNSTON. Yes, sir.

Mr. HUBERT. Thank you very much, sir.

Mr. JOHNSTON. I could do this—make copies now?

Mr. HUBERT. Let's discuss this a little bit more before you leave—you think you can get the copies made and just bring them to the office here and hand them to me this afternoon?

Mr. JOHNSTON. Yes, sir; and I will take these affidavits over to the company across the street myself and bring them back for you.

Mr. HUBERT. All right. That will be fine.

Mr. JOHNSTON. I'll do that now.

TESTIMONY OF STANLEY M. KAUFMAN

The testimony of Stanley M. Kaufman was taken at 9 a.m., on June 27, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Leon D. Hubert, Jr., assistant counsel of the President's Commission.

Mr. HUBERT. This is the deposition of Stanley M. Kaufman.

Mr. Kaufman, my name is Leon D. Hubert. I am a member of the advisory staff of the general counsel on the President's Commission. Under the provi-

sions of Executive Order 11130, dated November 29, 1963, and the joint resolution of Congress No. 137, and the rules of procedure adopted by the President's Commission in conformance with the Executive order and the joint resolution, I have been authorized to take a sworn deposition from you. I state to you that the general nature of the Commission's inquiry is to ascertain, evaluate and report upon the facts relative to the assassination of President Kennedy and the subsequent violent death of Lee Harvey Oswald.

In particular as to you, Mr. Kaufman, the nature of the inquiry is to determine what facts you know about the death of Oswald and any other pertinent facts you may know about the general inquiry and about Jack Ruby and his operations and associations and so forth.

I think you have appeared here today by virtue of a letter written to you by Mr. J. Lee Rankin, general counsel of the staff of the President's Commission, asking you to come, isn't that correct?

Mr. KAUFMAN. That is correct.

Mr. HUBERT. The rules of the Commission provide that every witness is entitled to a 3-day written notice prior to the taking of their deposition, to commence from the date of the letter of request. It's probable that the letter request was dated the 22d and therefore the 3 days have passed, and on the other hand, you may not have received it until later, and therefore I want to say to you that the rules also provide that a witness may waive the 3-day notice in the event the 3-day notice has not actually been given, and so I ask you if you are willing to waive, in the event that technically the 3-day notice has not elapsed.

Mr. KAUFMAN. Mr. Hubert, I don't know when the notice was received. I do know that I did talk to Mrs. Stroud of the U.S. attorney's office, who helped rearrange the appointment which originally was scheduled at 1 o'clock. If there was not sufficient notice, we would certainly agree to waive it.

I would like to point out probably another error in your notice and that was in the name. It was addressed to Stanley F. Kaufman. The correct name is Stanley M. Kaufman, and as far as that notice is concerned with respect to the name being incorrect on the notice, we would likewise waive that.

Mr. HUBERT. What does the "M" stand for?

Mr. KAUFMAN. Mike.

Mr. HUBERT. Would you stand and raise your right hand and I will administer the oath?

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. KAUFMAN. I do.

Mr. HUBERT. Will you state your full name?

Mr. KAUFMAN. Stanley Mike Kaufman.

Mr. HUBERT. Where do you reside?

Mr. KAUFMAN. 6831 Northport.

Mr. HUBERT. What is your occupation?

Mr. KAUFMAN. An attorney.

Mr. HUBERT. You are admitted to the bar of the State of Texas?

Mr. KAUFMAN. I am admitted to the bar of the State of Texas; yes.

Mr. HUBERT. How long have you been practicing law?

Mr. KAUFMAN. Actually, I graduated from SMU in 1942 and was admitted to practice law in 1942. I immediately went into the service and was discharged in October 1945, and have been in active practice since a little after October 1945, when I returned to Dallas.

Mr. HUBERT. Mr. Kaufman, do you know Jack L. Ruby?

Mr. KAUFMAN. Yes; I am acquainted with Jack Ruby.

Mr. HUBERT. How long have you known him?

Mr. KAUFMAN. Actually, Mr. Hubert, it has been difficult in my own mind to really go back, but I did go back into my files some time ago and I believe that the statement you have here that I knew him since 1954 is pretty accurate. It may be a few years difference either way.

Mr. HUBERT. Mr. Kaufman, on several occasions in the past you have been attorney or lawyer for Mr. Ruby, is that not so?

Mr. KAUFMAN. I have handled some matters for Mr. Ruby; yes.

Mr. HUBERT. Did you have any connection as an attorney for Mr. Ruby with reference to the homicide of Lee Harvey Oswald?

Mr. KAUFMAN. No.

Mr. HUBERT. Now, in the course of this examination, Mr. Kaufman, it may be that some of the questions that I would ask would require answers which may invade or violate in some way the lawyer-client privilege which might exist between you and Mr. Ruby. I might not know that. On the other hand, I think you are in a position to know it. I want to state to you that it is not my purpose or the Commission's purpose to cause you to violate or to jeopardize or compromise that lawyer-client relationship or privilege in the slightest way whatsoever. Therefore, I invite you to state to me at any time that you think the questions I ask require an answer that may violate or jeopardize or compromise that lawyer-client privilege. I assure you we will drop the matter immediately. Perhaps you wish to state your position on that problem now.

Mr. KAUFMAN. Thank you, Mr. Hubert. I would make this statement that you inquired about my contact with Jack Ruby regarding the homicide. I did not visit or see him prior to the trial of his case other than seeing him in the courtroom when I testified in the change of venue hearing and also on the date I testified as a defense witness.

I saw him on three occasions subsequent to that, all within a week. Other than that, I have had no immediate contact with Jack Ruby or discussed his case with him, and I give you this so that, not able to anticipate what you might ask, I can outline this to you and this would be the relationship—the only relationship that I have had with him since the date of this homicide.

I have had a number of contacts with him on civil matters and if any of these encroached upon the privilege, I personally believe that if Jack were asked, and if he is mentally able to, he would waive the privilege. Had we known that you wanted this done, we probably could have arranged it as time permitted. However, I don't feel that there is anything that I could add or give the Commission that he would hesitate about or want me not to give, and I would like the record to reflect that even if we take advantage of the privilege at this time, that I would like the record to reflect that we would like at that time to present this matter to Ruby so that he could waive the privilege and that we could give you this information in the event we encroach upon the privilege at any time during the taking of the deposition.

Mr. HUBERT. Let me commence then by asking you this. I have previously handed to you and I think you have read, a document which I have marked for identification as follows: In the margin of the first page "Dallas, Texas, June 27, 1964, Exhibit No. 1, Deposition of Stanley Kaufman" and I have signed my name below that and on the second page, and the document consists of two pages only, I have marked my initials in the lower right-hand corner.

This document, Mr. Kaufman, purports to be a report of an interview of you by FBI Agents Neeley and Rice on November 26, 1963. I think you have read it and I now hand it back to you and ask you if it's correct or if you have any changes or modifications to make in that document.

Mr. KAUFMAN. Mr. Hubert, I would say that there are a number of inaccuracies in this report, probably not of a major concern.

Mr. HUBERT. All right, I wish you would point them out, identifying them, so that a person reading the record later can know what you're talking about.

Mr. KAUFMAN. First, let me explain how the statement was taken. It's not a statement as you correctly stated. It's a report. Whether or not Neeley and Rice were the agents who talked to me, I wouldn't know because I didn't take their names down. I was called by the Dallas office of the FBI one evening and asked if they could make an appointment to see me regarding the Jack Ruby case and I advised them that they could and that I was available then and there, so they told me in about 15 minutes they would come over. Both of the agents came by my office at 1520 Mercantile Securities Building, identified themselves, and sat down and asked me a number of questions, most of which are, I would say, covered in the third paragraph here.

Mr. HUBERT. That's Exhibit No. 1?

Mr. KAUFMAN. Yes; of Exhibit No. 1. Now, three of the—I mean—there were three basic concerns that they talked to me about. They didn't just ask

questions and write anything down. We just conversed similar to a conversation that you and I might have with a person in our office. Their main concern seemed to be (1) whether or not I knew Ruby, and (2) whether or not I knew him to be a Communist, and (3) whether or not I knew of any connection or relationship with Lee Oswald.

Thereafter, we had a lot of other discussions which are not reported here. Primarily, the concern that I had that was called to my attention by a lot of people who called me and seemed concerned that the name Rubenstein had been invoked in this case, and we probably spent a greater part of the discussion on the prejudices that had been invoked, rather than the things that are reported in the statement.

Mr. HUBERT. Were you interviewed by the agents more than once?

Mr. KAUFMAN. No; just once. As I say, the statement does not cover—this report does not cover all of that, and I think they've got some of the facts confused by virtue of our discussion, so I'll go by this paragraph-by-paragraph, and when I say "this," I'm talking about this exhibit which I am holding in my hand at this time and I think you identified it as Exhibit No. 1.

Mr. HUBERT. Yes.

Mr. KAUFMAN. In the first paragraph the name is stated. It should be "Stanley M. Kaufman". The rest of the paragraph is substantially correct.

In paragraph 2, reference is made that I was acquainted with Jack Ruby and was not familiar with his activities in Chicago, which is true. I knew nothing about his background and in fact I never knew that his name was Rubenstein. In the years that I knew him and in the years that I represented him, his name was Jack Ruby. Every legal instrument that I have in my file has always referred to Jack Ruby, and this is what disturbed me. In all the years that I knew Jack, I never knew his name was Rubenstein, not that he withheld it from me, but he was known in Dallas as Jack Rubenstein.

The conclusion that the agents have in their report that "he considered Ruby one of the most active Jewish bachelors in the synagogue" is something that I don't know exactly what this meant, and I've put a question mark by the side of this line. I indicated and so indicate at this time that Jack Ruby was a bachelor to the best of my knowledge. Mention is made in the third paragraph about Alice Nichols—

Mr. HUBERT. Before you leave the synagogue, I wanted to ask you something more on that.

Mr. KAUFMAN. Well, I'll come back to it. I just wanted to say that I did know that he and Alice were quite friendly and at times I think Jack had mentioned to me that he wished he could be worthy enough to marry Alice, but apparently he did not marry her. As far as his activities in the synagogue, the only time that I knew Jack Ruby was active in the synagogue, he did go for a period of time to recite memorial services for one of his deceased parents, which was commendable, because many people today don't do those things. I mean, it's a voluntary thing, but as far as other activities, I wouldn't know what would be meant here. I have served on the board of my synagogue for over 7 years.

Mr. HUBERT. Is that Shearith Israel?

Mr. KAUFMAN. It is Rabbi Silverman's synagogue. So, when this document says "active," I wouldn't know what they meant because frankly I don't know the facts on which they base this conclusion.

Mr. HUBERT. Did you characterize his attendance or his relationship to the synagogue as "active" when you were interviewed by the FBI?

Mr. KAUFMAN. Mr. Hubert, as far as the actual words used, I wouldn't recall. I do say that he attended services more than usual during that period of time. As far as other activities are concerned, I don't recall that he has been active. To that extent, though, that's what disturbs me a little when they put this in their report.

Mr. HUBERT. Were you one of the officials—a member of the board of trustees of the synagogue?

Mr. KAUFMAN. I have been. I'm not at this time, but I have been. In other words, in our synagogue we have an autonomous group which is—actually, we are a nonprofit corporation. We have a president and other officers and we have a board of directors, and I have served on two occasions as a director 3 years each.

You cannot succeed yourself as director, and I was also secretary for a year in between my term.

Mr. HUBERT. What I'm getting at is did you have occasion to observe whether Ruby was active in the normal sense of that word, with respect to religious activities?

Mr. KAUFMAN. Actually, that's what disturbs me, Mr. Hubert. As far as I know, he's never been on any committee, he's never been an usher during the services—these things—so when you use the word "active", he attended services.

Mr. HUBERT. Did he attend regularly—there is a regular service, isn't there?

Mr. KAUFMAN. Oh, there are services every day and there are services on Friday and there are services this morning, and in fact, if I wanted to have been very technical, I could have advised you I didn't want to testify today, that it was in violation of my Sabbath.

Now, whether I myself could be one who could tell you this would be unfair, because frankly, I can't say that I'm in attendance every day, and as a result I believe there is only one person that I know who could give you such an opinion and that would be a person such as a rabbi, a person who is in daily attendance, and I personally am not in that category and therefore I would rather not pass on it.

Mr. HUBERT. There were services on Friday, November 22, the night of the President's death, and I ask you if you were present at that service?

Mr. KAUFMAN. No, sir; I was not present.

Mr. HUBERT. There were also services on Saturday morning, November 23, and I ask you if you were present at those services?

Mr. KAUFMAN. No; I wasn't present then. I was supposed to go to Abilene, Tex., to take a deposition on that Saturday and I recall having to cancel my taking of the deposition because I felt so bad about the assassination, but I do recall that I had a plane reservation to leave Dallas at that time.

Mr. HUBERT. All right, will you continue with your comments on Exhibit No. 1?

Mr. KAUFMAN. All right, getting down to paragraph (3). The statement in regard to trips by Ruby are substantially correct. The comment about a visit to Cuba to visit an acquaintance who works in a casino there—now, I don't recall that I made any statement that the man worked in a casino. It was my recollection that I felt or thought that the man was supposed to be a gambler, and I think prior to the taking of the deposition, this morning, you and I commented about this when you gave me an opportunity to examine it, and I believe this man's name was McWillie, if I'm not mistaken, but whether he worked at the casino or not, I don't know. I didn't know then and I don't know now. I wouldn't make the statement that he worked in the casino.

Mr. HUBERT. In any case, the only thing you would know about it would be what Ruby told you?

Mr. KAUFMAN. What Jack had told me, correct.

Mr. HUBERT. Do you remember when that was?

Mr. KAUFMAN. Mr. Hubert, I wouldn't even try to guess. I don't believe Castro was in office at that time. As I recall—of course—it might have been right at the time when the takeover took place. I would rather not even try to venture a guess.

Mr. HUBERT. Are you aware from any source, including Ruby, whether he took more than one trip to Cuba?

Mr. KAUFMAN. If he took more than one trip, I am not aware of it. Actually, I couldn't even swear he took this one, except he told me he was going and I assumed he went, but he sent me no postcards. I got no souvenirs or anything that would actually put me in a position where I could tell you definitely he was in Cuba.

Mr. HUBERT. Could you tell us why he would inform you that he was going to Cuba?

Mr. KAUFMAN. I think Jack liked me. I think we discussed a lot of things that were not lawyer-client conversation. I think that over the period of years we discussed many subjects from physical education—taking exercises, to his nightclub business, the changeover from one type of operation to another, and these matters in my opinion don't relate to law, Mr. Hubert.

Mr. HUBERT. I was just wondering why he told you and I think you've given me the answer.

Mr. KAUFMAN. All right, continuing with paragraph (3)—the report is correct that I did not know and do not know, and never did know Lee Harvey Oswald. I have never heard Oswald's name mentioned by Ruby and have no knowledge or information that Ruby ever knew Oswald.

This portion that "Kaufman stated he heard over TV Ruby had asked for three attorneys"—this is correct. My first acquaintance with the case, that my name was attached to the case was when Judge Pierce McBride was interviewed after talking with Ruby and he indicated that Ruby had asked for Fred Brunner, Tom Howard, and Stanley Kaufman, and at times I feel that knowing Jack like I did know him that the only reason he even did this is probably he thought he would offend me by not mentioning my name, but if you knew Jack, you would know he's very sensitive and he's very, very thoughtful, and I at times feel that that was his reason for mentioning my name.

Although, I must confess that if I could practice criminal law I wouldn't hesitate to represent Jack, that I do feel that he respected my legal ability, and I'm not flattering myself or not trying to be modest, but I do feel that if I could have helped him, and I want the record certainly to reflect this, that had I felt capable, I certainly would not have hesitated to have been his lawyer.

Mr. HUBERT. All right.

Mr. KAUFMAN. About the bank-account business—this is correct. I don't recall Jack having any bank accounts. I didn't make any big money off of Jack over the period of years. I did represent some ventures that might have been referred to me through him. I remember one of the girls that worked for him was involved in an automobile collision and he was kind enough to—when she needed an attorney—to recommend me, and I might have made money in that direction from different people, but as far as Jack himself, he just didn't have, Mr. Hubert, that kind of legal business.

We had some problems with some bands and we did go to court on one or two occasions. I think at one time we tried a case in the presence of the present U.S. district judge here for the Northern District of Texas, Judge Sarah T. Hughes, down at the State court. We had an injunctive matter before her.

We do have or did have at the time this was pending, a case in which we filed an answer in a case which he had been involved in, and I did offer my files to the FBI, and they were in my office, which they didn't want.

Mr. HUBERT. Did you incorporate the S&R Corp.?

Mr. KAUFMAN. The S&R Corp.—I believe I handled the incorporation on that, but Jack Ruby, to the best of my recollection there was someone who opened a club up there at the same location where Jack was and Jack was not involved, to the best of my recollection, and S&R was supposed to have been a management company or something of that type, and I don't believe that Jack had any financial interest in the S&R Corp. Now, I believe I was asked about this and I don't know whether the FBI asked me about it or not, but I'm sure I had been asked about it.

I know Jack's name was not involved as an incorporator, and I don't believe he was ever an officer. He may have been an officer, but as far as owning any stock in the S&R, I am very, very doubtful about that.

Mr. HUBERT. Do you know who did own the stock in S&R initially?

Mr. KAUFMAN. I would rather not guess. Frankly, if I had the papers before me—if I have the papers. Now, there were some of his papers, and when I say "his papers," I have all of my file, I believe, but as far as these corporations were concerned, I don't remember whether the bookkeeper had this or whether the bookkeeper had custody of some of these matters, but as far as Jack Ruby's having a financial interest in S&R, I would say to the best of my recollection Jack Ruby did not and does not have such an interest.

Mr. HUBERT. Do you remember whether it was a part of your function as attorney handling the incorporation to supervise the issuance of stock certificates?

Mr. KAUFMAN. I can't even tell you if we ever issued stock certificates in the corporation. Ofttimes, Mr. Hubert, a person will come to the office, and we

form many, many corporations and we have even served as dummy incorporators in these incorporation matters and I'm sure you likewise have. I don't believe there were dummy incorporators on this incorporation, as I recall, but that the actual owners of the stock had signed the application for a charter, but oftentimes instructions are never forthcoming as to whom the stock would go to. Now, if we did have such instructions, I'm sure that the stock was issued. I'm inclined to recall and believe that Earl Ruby at one time might have been a stockholder. This is a brother of Jack's, and whether Ralph Paul was one of the stockholders or not, I don't recall.

Mr. HUBERT. Well, the records would reflect that.

Mr. KAUFMAN. The records would reflect that and I'm sure there should have been franchise taxes which were filed which would likewise show who the officers and directors were.

Mr. HUBERT. All right, sir; would you continue?

Mr. KAUFMAN. All right, going back here to this third paragraph—I don't think it's fair to report, "He states he knows only two persons who might be able to furnish pertinent information." I think the question that was asked me was who would know the most about Jack and I told them that I thought that Ralph Paul was probably the closest friend that Jack Ruby had and that I thought Ralph Paul would be probably the best informant that they could get, and further, that Alice Nichols, who was secretary for a very fine lawyer who used to be associated with my father-in-law, Bob Dillard. They shared offices in the old Southland Building and Bob is general counsel for Southland Life, and Alice was his secretary, and Jack and Alice had gone together for many, many years and it was my feeling—it's not a question of the only people, it's a question of who were best qualified to furnish them some information and I did say that I thought Jack's acquaintance with Ralph Paul and with Alice would qualify them more than anyone I knew to give them any information. Now, in regards to this next paragraph relating to Jack calling me at home.

Mr. HUBERT. That is on the 23d day of November?

Mr. KAUFMAN. The 23d of November, the day after the assassination of the President. I don't think this correctly reflects what took place, and I would like to modify it to this extent.

Mr. HUBERT. All right; go ahead.

Mr. KAUFMAN. Jack called me at home and I'm pretty sure that the hour was somewhere between 3:45 and 4 o'clock and as I recall, I gave this information to the agents, and the reason I'm sure about the time—

Mr. HUBERT. That's in the afternoon?

Mr. KAUFMAN. Yes, sir; and the reason I'm so sure about the time, I was sleeping and I was awakened, and we do have a clock on our nightstand and I recall Jack calling and he was very upset, and the nature of our conversation was in regard to this Bernard Weissman or Wiseman and the ad that he had run in the Dallas Morning News.

Mr. HUBERT. What manifestations of his being upset did you observe?

Mr. KAUFMAN. It wasn't observing, I was talking to him on the phone and you could just tell the way he was talking and the manner in which he was rambling on that this man was just real—really concerned about this business.

Mr. HUBERT. That is to say, about the Bernard Weissman ad?

Mr. KAUFMAN. Oh, definitely. He told me how he went down to the post office and sat in front of this man's box and watched, trying to find out who he was if he came to get his mail.

Mr. HUBERT. Did he tell you when he had done that?

Mr. KAUFMAN. I didn't ask him. In other words, apparently it had taken place from the time he called me back to the time the President was assassinated—it had to be within 24 hours, I would assume.

Mr. HUBERT. Did he tell you how long he had stayed watching to see who would come?

Mr. KAUFMAN. No; he just told me that he thought it was terrible that this man had run this ad, and when I say "this," I'm not quoting him verbatim, I'm sure, but this was his sentiment. He was just upset about it and he wanted to know how he could locate him. This was the reason he called. He wanted to know if I could help him—give him some information where he could find

Bernard Weissman. He felt, I guess, as an attorney that I had some power of investigation or ability or know-how, and frankly, I told him the best I could recommend was that he go over to the city library and look at the city directory, that I had no knowledge of where he could be located.

Mr. HUBERT. Did he indicate to you what he wanted to do if he did locate Weissman?

Mr. KAUFMAN. He didn't say what he wanted to do. I think the nature of his discussion was that he was trying to be helpful to either the FBI or the police in locating him. I mean, as far as his talking about he was going to go out and bodily harm him or beat him up or something like that, there was no indication in this conversation that that's what his intent or motives were.

Mr. HUBERT. You gathered rather that he was trying to be helpful to the police authorities?

Mr. KAUFMAN. Yes; and I felt that he felt maybe they were overlooking this and that maybe this fellow—at that time, as I would feel, he was trying to see if Weissman had anything to do with the assassination of President Kennedy.

Mr. HUBERT. In other words in his own mind, as you gathered it, he did associate the Weissman ad with the assassination?

Mr. KAUFMAN. There's no question about that. Now, this is correctly pointed out in the report. He made special emphasis about this black border. Frankly, I went back, after talking to him and looked at it and it didn't really mean that much to me when I first looked at it. I mean—I was upset about it—about the ad. Frankly, I talked to a number of people about the ad and a number of people talked to me. I happened to talk to the Jewish Welfare Federation that very day that the President was killed in the afternoon, and the secretary I talked to asked me if I had any idea who Bernard Weissman was. It so happens that I have been active in the community, in the Jewish community as well as the non-Jewish community and we were having some discussions back and forth at that time on a matter that had nothing to do with this, and in our conversations, and this was before the assassination of the President. It was that morning before the President even arrived, that we were queried by one of the secretaries over at the Federation as to who in the heck was Bernard Weissman. So, it was not unusual that we would talk about this subject because there were a lot of people that were concerned about it, but Jack was particularly impressed with the border as being a tipoff of some sort—that this man knew that the President was going to be assassinated and that probably in the advertising field, perhaps in Jack's knowledge of the entertainment world, and knowing something about setting up advertising, this had impressed him.

Mr. HUBERT. That black border?

Mr. KAUFMAN. That—when he saw that black border, this was a key. Now in the conversation Jack had gone through, and he rambled on maybe for, oh goodness, 10 or 15 minutes, talking about how he had closed up his clubs and how some of his competitors didn't do so and how this provoked him and how the Dallas News—he gave them hell about running this ad. I mean—don't think that this brief statement of summary that is reported by the agents by any means covers the entire conversation, because Jack just—well he just was upset. It was just the most upsetting thing that I've ever heard with him and in all my conversation, this seems to have really stirred him up.

Mr. HUBERT. You mean the Weissman ad?

Mr. KAUFMAN. This Weissman deal.

Mr. HUBERT. Did he make any comments about Oswald during this conversation?

Mr. KAUFMAN. Jack?

Mr. HUBERT. Yes?

Mr. KAUFMAN. No. All that this conversation was directed to was at Bernard Weissman, and the closing up of his club and the refusal of his competitors to close up, and the attitude of the Dallas Morning News.

Mr. HUBERT. Did he associate Oswald in anyway with any kind of a group, be it leftist, rightist, middle, or any kind of "ism"?

Mr. KAUFMAN. Jack had never mentioned the name Oswald at that time,

and I'll say this, without in any way I think violating any client or attorney relationship, the three times that I saw Jack he never mentioned the name Oswald. He referred to him but never referred to him by name. He called him "the deceased" when I talked to him in his cell. I say "cell," but I've never been in his cell. I saw him in a little visitation or conference room, but he didn't even mention him by "deceased" when I talked to him. I mean, of course, he wasn't deceased at that time—when we talked on the phone—the name "Oswald" was never used by Jack.

Mr. HUBERT. Did he seem to think that the Weissman ad and its possible relationship to the assassination would hurt the Jewish community or the Jewish people?

Mr. KAUFMAN. No, sir. No; this wasn't even discussed. There was no mention even of whether this Weissman may or may not have been Jewish. We didn't even discuss this. Actually, the Jewish subject did not come up at any time in our conversation.

Mr. HUBERT. In any aspect?

Mr. KAUFMAN. No, sir.

Mr. HUBERT. Did he indicate that he was concerned about the death of the President, because of the effect it might have on business in general in Dallas and in particular with reference to his operations?

Mr. KAUFMAN. No; this wasn't discussed. Incidentally, I forgot one thing that he did also point out and that was that he had taken some pictures of this sign "Impeach Earl Warren." He also mentioned that.

Mr. HUBERT. Did he say what he proposed to do with those pictures?

Mr. KAUFMAN. No; he did not say. He just asked me if I had seen the sign. I drive by that place every day and never noticed it, but he had asked me whether I had seen the sign and told me he had taken some pictures but did not indicate what he was going to do with them.

Mr. HUBERT. All right; will you go on then?

Mr. KAUFMAN. Now, as far as the rest—"Kaufman stated that Ruby wanted to know who Weissman was and how he could get in touch with him"—as I say, he did want to know the means or methods of how a person could locate him. As I say, I did indicate that he might consider looking at the city directory.

Mr. HUBERT. All right.

Mr. KAUFMAN. Now, they go on, "and if Mr. Freedman of the Anti-Defamation League could furnish him any information as to the whereabouts of Bernard Weissman." Now, this is, I think, an inaccurate statement. Now, during the course of our conversation with the agents, we told them—

Mr. HUBERT. When you say "we," who is that?

Mr. KAUFMAN. Me—I should say—I told them that I had been active with B'nai B'rith and that one of our children, so to speak, is the Anti-Defamation League, and that I had been called, when my name was mentioned, by people all over the country who knew me—I had calls from Peoria, Ill. and from New York—regarding the Rubenstein being invoked into this and whether it was a matter of antisemitism. I had been called by Mr. Ted Freedman of the Houston, Tex., Anti-Defamation League, who came to see me to see whether or not antisemitism had been invoked into this and whether I personally felt that the name Rubenstein had been injected here for prejudicial purposes, and I think that someone is confused in the reporting of this.

I don't even recall Jack and I talking about the Anti-Defamation League. I know that Jack was not a member of B'nai B'rith, not that he didn't want to be or not that they wouldn't have had him, I don't think he had the money to join. I'm sure he would have liked to have belonged to a lot of things that he was not able to afford, and it's not that expensive an operation, but notwithstanding that, I think that there is some confusion in this report as to conversations going on between Jack and myself. Actually, when I was on the witness stand, Mr. Alexander interrogated me about this very point and I just couldn't imagine what the report said and he had the report in his hand, and he asked me whether or not Jack didn't want to know or ask me how to get in touch with the Anti-Defamation League. I don't remember the exact question, but this is not correct.

Mr. HUBERT. In other words, what you are saying is that you don't recall that you spoke to Jack about that?

Mr. KAUFMAN. About the Anti-Defamation League, although I do say I talked to the agents about it, but not in connection with a conversation with Jack. I do admit that the agents and I, in talking about that, they were very kind and they stayed there and they related to me how they had Jewish agents in the FBI, Bob Strauss of Dallas had been an agent, and I mean that they spent a lot of time discussing this matter with me, and I'm sure they had a lot of things on their mind, Mr. Hubert, and they were not sitting down taking notes although I think they did take names down maybe on the back of an envelope or a scratch pad, but I mean, they didn't sit down such as the reporter is doing here this morning and take notes of the things that we were saying. In other words, I don't believe that it's that significant, but I do want the record to be correct, because I don't think that Jack Ruby and I ever discussed the Anti-Defamation League. That's the point I'm trying to make.

Now—"He stated Ruby had also told him he had tried to locate this Weissman through the Post Office Department"—that's correct—"but was not able to do so." Now, I think I've elaborated on what he did attempt to do, but whether he had conversations with the Post Office and I don't know, but he did tell me that he did locate the box and that he did put it under surveillance, so to speak, and told me that he saw lots of mail in the box and that the box was loaded with mail.

Now—"Kaufman stated that Ruby told him he had been to the Dallas Morning News and had raised 'hell' with the ad department for accepting such an ad." I would say that's correct, and he went into great details about this.

"Kaufman stated that from his contacts with Ruby and the civil matters he had handled for him that he is aware that Ruby is quick-tempered," and that is correct, "and that in his opinion Ruby had no assistance or guidance in connection with the shooting of Oswald." I would say that is a correct statement.

I will say Jack not only is quick-tempered, and I tried to explain to these people, and that's the two agents, that Jack was this type of person—he would do things and then come ask you for advice, and I related to them and showed them, Mr. Hubert, that he had been in my office maybe a few days before all this with a little twistboard that he had seen for sale, and he was going to take this twistboard and have the Goodwill Industries make it so they would have a good deal, and they were going to go out and sell twistboards. I mean, he just thought this was a tremendous thing, and I got the twistboard out and showed it to the agents. I still had it in my office at that time. I've given it away since that time. Somebody wanted a twistboard so I let them have it. Now, he had copied, practically without exception, the instructions that someone else had on their twistboard. He had already gone to the expense of having it printed and here he was coming to me to say, "Was this all right?" Now, this is the type of a boy Jack Ruby was. He would do things on impulse and then he would come back and say, like a child, "Daddy, did I do right or did I do wrong?" This is the matter that I tried to convey to them, that he is not only quick-tempered, but his mentality—Jack is a smart boy, but Jack a lot of times would want you to give him assurance that he was doing right, and I'll say this—the more I think about his telephone call to me, I think that maybe he would like to say, "Well, Stanley, am I doing right?" I mean—this is the way I would interpret it—"Pat me on the back and tell me I'm doing something to help," and unless a person knew him and had talked to him and had been associated with him, you would have to have that relationship before you could have this feeling.

Mr. HUBERT. Did you talk to him or see him after this conversation and until the homicide?

Mr. KAUFMAN. No, sir.

Mr. HUBERT. The conversation lasted, you say, about 15 or 20 minutes?

Mr. KAUFMAN. I would say it was extensive—it was longer than usually people talk on the telephone. I'm sure you as a lawyer know that there are times when you get bored listening to people on the telephone.

Mr. HUBERT. Did you know Louis McWillie at all?

Mr. KAUFMAN. Never—I just knew him by reputation. Actually, I don't

know him by reputation. If I saw the man—I mean—I would never know him. I wouldn't know what he looked like.

Mr. HUBERT. So, you got the name "McWillie" from Ruby really, when he told you about him?

Mr. KAUFMAN. That's right.

Mr. HUBERT. I think you've covered some of this and it may be repetitious, but I think you are in a good position to tell us, if you will, what do you know about Jack's thoughts or attitudes towards the various "isms" that exist in the world today, "rightism," "leftism," and so forth?

Mr. KAUFMAN. Mr. Hubert, to be very honest with you and to be very candid with you, I have never discussed it with Jack, so it would be presumptuous again on my part to express opinions as to any political philosophies, as far as any philosophies or doctrines he might have toward any "isms." I certainly would classify him—I think this—I think I am certainly in a situation, having served in the Armed Forces and having served in China and having been active in my community supporting them financially as well as with works, I would certainly classify Jack as to what I knew about him as a loyal American.

Mr. HUBERT. From what you knew of him as a person, would he be the type of person that would be interested in international politics or international ideological philosophies and so forth?

Mr. KAUFMAN. If he was, I had never discussed it with him. Actually, as I explained to you, I'm sure that many of us even in the course of legal conversation will digress somewhat and talk about sports or talk about women or talk about a multitude of subjects. To the best of my recollection I never had talked politics with Jack. I had never talked anything that would give me any background where I can express an opinion on that subject.

Mr. HUBERT. Would you express your opinion as to what his desires and ambitions in life were?

Mr. KAUFMAN. Well, that covers a multitude of sins. I can say that in the field of his business venture, I really think that Jack would liked to have been a success in the field of entertainment. He had tried many, many ribbons, and when I say "ribbons," I mean they've changed methods of operations.

I didn't know Jack when he was in some other nightclub businesses. I think he was being represented by some other attorneys. In fact, before coming here this morning I tried to just recollect how I first met Jack, and the best I could recall, I had talked to him a few times in the lobby of the Mercantile Bank and who had introduced Jack to me, I was trying to find out that, and I recall that he at that time used to wear a short-sleeved sport shirt and a pair of trousers and a bunch of keys on the back of his hip, and reminiscing how he had improved his dress and all through that period of time, that Jack when he would come to my office I would say generally would be dressed and attired well. He would have on a tie and a suit, and I think he wanted to elevate himself where he would be a success financially. I think honestly he would have married Alice Nichols. For example, when we discussed this, he didn't think he was worthy of her, being a nightclub operator and she a very fine legal secretary for a very fine attorney.

Mr. HUBERT. Did you detect any sensitivity toward his background?

Mr. KAUFMAN. We never talked about his background. Not that he would avoid it—naturally, there would be a time or occasion that certain events would come up and he might say, "Well, it was pretty rough in Chicago." Jack had a finger off—I don't know if you have seen Jack, but he did tell me once that someone bit it off in a fight he had with him. Now, whether that was in Dallas or Chicago, I don't even know, and whether that was true or not, I don't know.

I was at the Worth Food Market, they have a kosher delicatessen up there and I was checking out—I'd been up there buying some stuff and I was up at the counter checking out and a little boy had his little portable radio and all of a sudden I heard this kind of a report, as I recall, "They are bringing Oswald down," and the next thing is this boom, and as I recall the news reporter said, "My goodness, one of these trigger-happy detectives has shot Oswald" and they wouldn't identify who it was, and then they straightened it up and they said, "No, it wasn't a detective" but they wouldn't identify him, but then I get in the car and turn on the radio in the car and all of a sudden they say it was Jack Ruby

who was the person who had shot Lee Oswald, and I liked to have died. I was going home, and my wife had heard it, and she couldn't believe it. She just talked about "what went wrong with that crazy Jack?" She said, "He just must have been nuts," but it just was the most shocking thing I ever heard in my life when I heard on the radio that Jack Ruby had gone to the police station and shot Lee Oswald.

Mr. HUBERT. Did anyone contact you to represent him? I think it was mentioned that he said that you would be one of his three lawyers?

Mr. KAUFMAN. I think he said he wanted any of these three—yes.

Mr. HUBERT. He never contacted you about it?

Mr. KAUFMAN. He personally?

Mr. HUBERT. Yes?

Mr. KAUFMAN. He didn't call me, but I had a call right after that from some lady saying she was calling for his sister, and at that time Oswald was still living, and they called me and they said "We know you don't handle these matters and maybe you could refer someone to us?"

Mr. HUBERT. Did she identify herself?

Mr. KAUFMAN. At the time she did, but I gave no significance to it.

Mr. HUBERT. You don't know who it was?

Mr. KAUFMAN. No.

Mr. HUBERT. But she represented to you that she was calling on behalf of Eva Grant?

Mr. KAUFMAN. That's correct, and at that time I recommended Fred Brunner, not that I recommended him on just this case, but we have had other clients who have had problems. In fact, I have recommended one to Fred within the last 2 or 3 weeks. I didn't call him. I said, "To me, I think Fred Brunner is a very able lawyer who could probably help them," and the next thing I get a call from Sam Daugherty who is in Fred Brunner's office and Sam says that the lady had called and that Fred was out on his farm and said for me to call back and tell them that Sam Daugherty was going to help them. Well, I tried to call back but their phone was so busy I never was able to get back in touch with them, but I was informed that Sam Daugherty and Fred Brunner went down, but there was so much confusion down at the police station that they left and that they went over to that office across the street where Colley Sullivan has his office and watched it on TV. They figured—"we can't find out anything going on over here, but we can through this news." Now, we've talked about it since that time, in fact, I talked to Mr. Brunner when I got my subpoena. I asked him if he wanted to come over and relate any of this to me, and I'm sure if anybody wanted to talk to him, Brunner would be happy to relate what the situation was, but all the lawyers were trying to get in on the act, that he just felt, "Boy, this thing is so confusing, I'm taking off" and he apologized to me about it, Mr. Hubert. He, as I say, is a very fine attorney, and to him, he just didn't know what was going on and neither did I nor did anyone else, and so I just dropped the thing.

Mr. HUBERT. You never were contacted by anybody further as a matter of fact?

Mr. KAUFMAN. Well, Tom Howard, I think, talked to me several times about this Rubenstein deal. I would call Tom Howard and say, "The Jewish community is in an uproar about this, I had a call from so-and-so," and this was true—this is true. In fact, I had a call from Julius Schepps and some of the most responsible and influential people we do have in Dallas too, and they said to me, "I hope you are not going to get involved in this case," and to Julius I remember I said, "Well, Julius, you know—" he heard my name mentioned, and I said, "Julius, if I were able to represent the man I would" and I told him how I felt, and in my conversation about it he indicated that the whole country was concerned about it. So, I would keep on to Tom Howard about this—I said, "Man, this is just wrong that these people here in Dallas feel that someone is trying to just incite a bunch of prejudice into this and that's not right." I told him that Jack Ruby should be tried as Jack Ruby and not anything else. So, I would get in touch with Tom and did on many occasions, and I'll say to you this quite frankly, that I talked with Tom and when they cited him to go before the Grievance Committee, that I would personally appear

voluntarily to tell them that there had been a great deal of pressure put on about this Rubenstein deal and I so advised the FBI at the time and told them that I had been bothered, molested, called and so on about the Rubenstein part, and that people didn't like it and they didn't know why it was injected into it, and that Chief Curry apparently had started it when they made this announcement on TV when he told them that his name was Rubenstein, alias Jack Ruby, and that this was not a reflection on Henry Wade and it was not a reflection on anybody that I knew, except somewhere along the line someone had either in error or either intentionally started this business about Jack Rubenstein.

Now, the reason I say this—later, if you recall, there were a number of TV stories on a Jack Rubenstein who is supposed to have been, and these are things that I didn't even know about but I read about it in the paper, and heard it on TV that he was supposed to have been a questionable character that had been cited by the House Un-American Activities Committee, and Tom Howard even indicated to me that he had gone to the trouble of going to the public library and looking it up or had someone do it, of checking all the Jack Rubensteins in all the major cities, that there were many, many Jack Rubensteins, and where they got this business he didn't know and why they were trying to do this, he didn't know.

Yes, sir; I was contacted and contacted by others and I will say this: Mr. Ted Freedman from the southwestern regional office of ADL came up to Dallas and he was in my home and he wanted to know whether or not I felt that the antisemitism had been injected into this case and I told Ted that as far as I knew it had not been, that this was not intentional, that it was an accident perhaps, and in talking with Tom Howard, he had talked to some of the major newspaper writers who were in Dallas at the time and some of the major magazines that had been here at the time, and they felt likewise that there was no antisemitism that had been purposely injected into the matter, but the damage was already done, Mr. Hubert.

Mr. HUBERT. Yes.

Mr. KAUFMAN. If there was any damage, it was already done, and there was no way of erasing it, and believe me, this was a great concern of many, and I could go on and on and on and tell you the concern that many had for it.

Mr. HUBERT. I have one final matter I would like to ask you about. I have been advised that you represented an individual who happened to be in jail on the day the President was shot and had a view through the window?

Mr. KAUFMAN. Yes; this was an interesting development, Mr. Hubert. As I told you before we took the deposition, I represent a number of insurance companies and when I say a number, I maybe have three or four that we do defense work for, and when I talked to Mrs. Stroud of the U.S. attorney's office, I told her that—

Mr. HUBERT. That was just a couple of days ago?

Mr. KAUFMAN. Yes, sir; when I received the notice from the Committee. I had a case styled *Lowe versus Mitchell* that was in the 44th Judicial District Court and I was representing this, as I say, on behalf of an insurance company, and this boy, Willie Mitchell, a colored boy who we incidentally had a great deal of trouble getting into a defendant's case. He felt that he had already served his term in jail and that he didn't owe any debt to society moneywise or otherwise, and there was a serious question of whether we were going to continue to defend him or whether or not he had any coverage, but notwithstanding that, we did settle his case, and I did get him to come by the office one day for an interview, and in the course of my conversation he let me know that he was in the jail serving a DWI offense at the time the President was killed, and I sat back and forgot about the automobile accident and just let him talk, and he related how all of these prisoners up in jail had been advised by the jailers and that they had read in the newspapers that the President was coming to town, and they looked in the papers and they saw the route, how the President was coming to town, and the jailers told them where and that they were coming and they congregated at this window—I mean—this side of the jail. Apparently they had a good view of

what took place, and he described to me exactly, and when I say "exactly," he didn't see anyone in that window, but I did tell Mrs. Stroud that I thought it might be helpful to the Commission to know that there were people in jail who saw the actual killing.

He described the President as having been hit from the rear and he said there was no question in his mind that the bullet came from the window. He said when the President's head was hit, it was just like throwing a bucket of water at him—that's the way it burst. He said it made him sick and everybody else sick up there.

I felt that Mrs. Stroud should know this and would want the Commission to know it for the reason that there seems to have been some question as to what I've read in the newspaper as to whether or not there was more than one bullet and whether or not the bullet came from the back or came from the front.

I was a small-arms instructor myself over in China, having been trained in the infantry school in Fort Benning, and I certainly feel I would love to, if I could, volunteer anything that would be helpful to the Commission, and if that information were helpful, I will be glad to get Willie Mitchell's address and furnish it to you.

Actually, I don't know who else was in jail. I do know that Willie Mitchell was, and I had even suggested that he get in touch with the Warren Commission, but he just has as many people have this "I don't want to get involved" attitude. I mean, he felt that he had already been too much involved with that DWI and didn't want to get involved with anything else.

Mr. HUBERT. Does Mitchell live in Dallas?

Mr. KAUFMAN. He's a construction worker and lives in Dallas.

Mr. HUBERT. I would ask you to do this, would you address a note to Mr. J. Lee Rankin, general counsel of the Commission?

Mr. KAUFMAN. I have his address on the letter of transmittal.

Mr. HUBERT. Would you advise him that in the course of this deposition the question of Willie Mitchell came up and that I asked you to furnish the address that you have for him?

Mr. KAUFMAN. All right.

Mr. HUBERT. And that you are doing it at my request?

Mr. KAUFMAN. I will be happy to, and incidentally, I did mention this to Sheriff Decker. This is no surprise, and I did tell Sheriff Decker—because I had asked Willie Mitchell how many people had talked to him about this, whether or not anyone had come up to the jail to discuss this with any of the prisoners, and he did indicate that there were some people but he thought they were probably just people from the jail office rather than anyone else.

Mr. HUBERT. When did you tell Sheriff Decker about it?

Mr. KAUFMAN. Right after I found out about it.

Mr. HUBERT. And when was that?

Mr. KAUFMAN. Well, the case was settled, I guess, about 5 or 6 or 7 weeks ago. It's been within the last 2 or 2½ months, maybe. I believe I was down there one Saturday afternoon and was talking to him about it.

Mr. HUBERT. Is there anything else you wish to say, Mr. Kaufman?

Mr. KAUFMAN. Well, that's very kind of you to turn the record loose to me here where I could go ahead and make any statements. I would like to say this, Mr. Hubert, that frankly I certainly would give any additional information that you would want to know now or at any time, whether by interrogatories by letter, and I assure you that you have my utmost full cooperation. I know what the function of the Commission is—I have read it. I know that it's a difficult task that you have and whether you can ever come up with the conclusions that the American people want, I don't know. I certainly feel that many people won't believe the findings of the Commission, that they've already prejudged this thing. I think what you are attempting to do is a worthy project of the President, the Chief Justice, and all I'm sure they are doing is trying to get to the root of it.

I won't go into my feelings about the trial of Jack because I know you know I am rather prejudiced about it. I do feel that a great injustice has been done. I wouldn't tell a story for him, though, or tell a lie. I am here to tell the truth,

the whole truth, and nothing but the truth. I think that Jack, notwithstanding what I read in the Dallas Morning News today, was acting on impulse. I think that he did something that many, many Americans—good red-blooded Americans would have done. I don't justify it. I don't condone it. I don't say it is the right thing to do. I have had a number of calls where people thought he should have gotten a medal.

I think there is certain testimony that should have been brought out that wasn't. I have questions about the defense of Jack Ruby as a lawyer. I have some feelings about statements that have been made about the oligarchy of Dallas. That's why I say to you, when you asked me if there is anything else I could say, I could certainly lend a lot of thought that I'm sure would have no bearing on it, but the only reason I'm making this statement is that I do feel that it's very difficult in reviewing depositions to get the same feeling you do when you look a person in the eyes; when you get to sit across from them you get to feel the warmth of a person, that notwithstanding the good work of a reporter, these things cannot be reflected in a written deposition, and in the Commission's later reading this—I'm just trying to reflect a little of my personality so that they would know that I am not a vicious person and I am not a person who has any malice towards anyone. I mean, I personally as a lawyer and trained as a lawyer, think that the facts should be brought out, and I think that the things that have motivated people in their testimony, whether it's before the Commission or otherwise, certainly is worthwhile. I think there have been tremendous pressures put on people involved in this case, whether it's me or anyone else. As I pointed out, the tremendous pressures that were put on me those first few days because my name was mentioned, is what I refer to. I think that there was tremendous pressure put on the lawyers who tried this case.

I think the Ruby family were not treated fairly in the opportunity of getting fair counsel. I think they had a very difficult time employing counsel locally. I think the fact that they had to go out of the State to get counsel is not because they wanted to go out of State. I think that they had many, many problems that I can't discuss with you because perhaps the relationship of client-attorney is involved. I believe there are many people who have been involved as lawyers who have had tremendous pressure put on them. I think that even the district attorney's office has been put under tremendous pressures, and this is an unfortunate situation, because if you believe in justice, if you believe in truth, if you believe in righteousness, you would say certainly that these things—you have to get these pressures taken off of you.

I have had many, many people tell me about the future of this appeal, that they feel that the pressures will have more to do with it than the law. I think this is wrong. I think that this case should be decided as a matter of law, not as a matter of prejudices or pressures, and I certainly think that the Commission should let the chips fall as they will, that they shouldn't be subjected to pressures. I don't think that those who are on it probably would be, but they are human beings and we all have human frailties. I think we can only take so much and I think this is what happened to Jack Ruby.

In closing, I would like to say this—that one of the things I have alluded to is this point about Jack not walking into a police station to make a sacrifice of himself with the money in his pocket. I think that the physical facts—you can see premeditation on a man like Lee Oswald, but the fact that he had a planned method in this whole thing. In my opinion he had a plan not only of accomplishing his mission but of a getaway.

You take a man such as Jack, as I see this situation and as I have found from information that has been told to me, not by Jack but from outsiders, Jack could never have known the plan of removing Lee Oswald from the jail, that it had to be something that just happened. These physical facts are there and I'm sure the Commission has them.

Mr. HUBERT. I think you've mentioned to me that it is your opinion that as you knew Jack Ruby, he would not walk into jail——

Mr. KAUFMAN. With several hundred dollars in his pocket.

Mr. HUBERT. Intending to shoot somebody with the certainty of being caught?

Mr. KAUFMAN. That's right. Knowing Jack Ruby as I did, knowing his financial situation, I feel that if the story that I read in the paper this morning

was correct, that he considered himself a sacrifice, I just can't believe this, because I would say that if he did do this, Mr. Hubert, I feel, knowing him, that Jack would have taken his money and left it with his sister or left it with his bartender or left it with someone, but I don't believe Jack Ruby would have walked into the jail with his money, and leaving his dogs elsewhere, with the understanding he was going to make a sacrifice out of himself and be caught, because this does not demonstrate to me the actions of a sane person—to walk into a place with your money, with your dogs here, and without any plan of getting away or a plan of getting out of it.

Mr. HUBERT. And you say that's inconsistent of what your estimate of Jack Ruby as a human being was?

Mr. KAUFMAN. Yes.

Mr. HUBERT. You made reference to what you read in the paper this morning, and I take it you are referring to the front page story of the Dallas Morning News by Carl Fruend?

Mr. KAUFMAN. By Mr. Fruend.

Mr. HUBERT. Who writes a story concerning the interview of Jack Ruby with the Chief Justice, is that correct, that's the story?

Mr. KAUFMAN. That's correct.

Mr. HUBERT. I wanted to identify it.

Mr. KAUFMAN. Yes, sir; in other words, the story you refer to is a story that purports to be a copyrighted story regarding the testimony of Jack Ruby before the Chief Justice and other members of the Commission or whoever was present, and in which the story relates that Jack said he went down there for a twofold purpose. One was to send a telegram and the "other"—referring to the elimination or assassination or the killing of Lee Harvey Oswald, and I say that I believe that's inconsistent with the man's personality and with his actions—with the man that I know.

Mr. HUBERT. Now, prior to the commencement of this deposition, we did have some conversation, and in order that the record can be clear on the point, as I now look back, we have covered in the deposition everything that we spoke about prior to the deposition, isn't that correct?

Mr. KAUFMAN. That is correct, Mr. Hubert.

Mr. HUBERT. So that there is nothing that has passed between us that has not been recorded.

Mr. KAUFMAN. There is nothing that has passed between us that has not been recorded, and I believe further that we had a further conversation prior to that in which you had indicated, just as you did in the deposition, that we could invoke our privilege, and I had indicated to you that if necessary I would go off the record and give you the information, and you further requested that I do not go off the record because there would have to be other explanations, and we have not gone off the record, that all of our conversations before and after have now been, I believe, correctly reported.

Mr. HUBERT. Thank you very much. You have been very helpful indeed.

Mr. KAUFMAN. Well, I hope so.

Mr. HUBERT. We are trying to get the picture of the man.

Mr. KAUFMAN. Well, that's what I tried to give you and that is all I can do.

Mr. HUBERT. I might state to you, too, you know that we are far more interested in this man just from the newspaper standpoint. We are building this record so that in a hundred years from now, a person reading it can make sense of it.

Mr. KAUFMAN. Well, I wish that I were an artist, but I'm not that articulate, but you see, this is what's wrong, and our good reporter knows that many times when we see these depositions, we say, "Do we sound that bad?" Sometimes a reporter will edit them, but they are not supposed to. I mean, they may make us sound a little better.

I will further say frankly, that the worst part of this is that it is impossible for the Commission when they read all this and try to digest it, to see the people and how they feel, and if they could see the people I think it would be so much more helpful to the Commission.

Mr. HUBERT. Yes; I can understand that. And again, let me say how much we thank you for coming today.

Mr. KAUFMAN. All right, thank you.

TESTIMONY OF DANNY PATRICK McCURDY

The testimony of Danny Patrick McCurdy was taken at 4:15 p.m., on June 26, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Leon D. Hubert, Jr., assistant counsel of the President's Commission.

Mr. HUBERT. This is the deposition of Danny Patrick McCurdy.

Mr. McCurdy, my name is Leon Hubert. I'm a member of the advisory staff of the general counsel on the President's Commission. Under the provisions of Executive Order 11130 dated November 29, 1963 and the joint resolution of Congress No. 137, and the rules of procedure adopted by the President's Commission in conformance with the Executive order and the joint resolution, I have been authorized to take a sworn deposition from you. I state to you now that the general nature of the Commission's inquiry is to ascertain, evaluate and report upon the facts relative to the assassination of President Kennedy and the subsequent violent death of Lee Harvey Oswald.

In particular, as to you, Mr. McCurdy, the nature of the inquiry today is to determine what facts you know about the death of Oswald and any other pertinent facts you may know about the general inquiry and about Jack Ruby and his operations and movements and associates and so forth on a certain date.

Now, I believe you have appeared here today by virtue of a letter written to you by Mr. J. Lee Rankin, general counsel of the staff of the President's Commission asking you to be present.

Mr. McCURDY. Right.

Mr. HUBERT. Do you remember the date of the letter?

Mr. McCURDY. I am not sure. I think it was the 22d, if I'm not mistaken, is when I got it. It was dated the 22d at the top of the letter.

Mr. HUBERT. When did you get it?

Mr. McCURDY. About the 23d or 24th.

Mr. HUBERT. Well, under the rules adopted by the Commission every witness is entitled to a 3-day written notice prior to the taking of his deposition, dating from the date of the request, and it is probable therefore that the rules have been complied with, but in any case the rules do provide that a witness may waive that 3-day notice, and I ask you whether you are willing to go ahead and testify now?

Mr. McCURDY. Yes; I will go ahead and testify right now.

Mr. HUBERT. Would you stand up and take the oath, please, sir?

Do you solemnly swear that the testimony you are about to give in this matter will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. McCURDY. I do.

Mr. HUBERT. Mr. McCurdy, I have heretofore, a little while ago, handed you a document consisting of two pages which I have marked for identification as follows: On the first page in the right-hand margin I have marked the words "Dallas, Texas, June 26, 1964, Exhibit No. 1, Deposition of Danny Patrick McCurdy" and on the second page I have placed my initials in the lower right-hand corner. This document purports to be the report of an interview of you by FBI Agent Coleman Mabray on November 29, 1963. Have you read this, sir?

Mr. McCURDY. Yes; sure have.

Mr. HUBERT. Can you tell us whether this is a correct report of the interview?

Mr. McCURDY. Well, basically it is. There are two or three discrepancies at the end. I suppose they misunderstood me, but they're not earth shattering or anything about the conversation that I had with Jack.

Mr. HUBERT. You are referring to page 2?

Mr. McCURDY. Right—it says, "McCurdy advised that he ended his conversation with Ruby and he entered the diskjockey room". Now, our conversation took place in the diskjockey room, that is, our console room, and not the newsroom.

Now, Jack spent the majority of the time in the newsroom with our newsman, Glenn Duncan, the man that just left, and a man by the name of Russ

"Knight" Moore, who is now at WXYZ at Detroit, Mich., and also a gentleman named Pappas that I mentioned—I can't remember what his first name was, but anyway he's a newsman with WNEW in New York City, but Jack's conversation and my conversation took place by ourselves in the control room. Now, he was in the control room at the time. There is another discrepancy down here, and it says I had met Ruby one time before.

Mr. HUBERT. That's in the fourth paragraph.

Mr. McCURDY. Actually, I had been with him twice. I had been to his club twice, rather than just once—it's once—right here, and in the same paragraph it says, "So far as I know Ruby is not a personal friend of anyone at the station." This is not true. He was a friend of Russ Moore. Now, Russ didn't really appreciate his friendship, but he was a friend of Russ and this clarifies the last paragraph where it says, "I have no idea how Ruby obtained the telephone number at the station." He knew several of the diskjockeys, one who had left the radio station earlier named Chuck Dunnaway—Charles Dunnaway who is now in Beaumont. He knew him, so I could easily see how he got the telephone number of the unlisted phone number—either through Chuck or Russ, or possibly one of our newsmen, that he possibly knew.

Mr. HUBERT. Is this an incorrect report or is it that you did tell this to the FBI people and now your memory is clearer on it?

Mr. McCURDY. I don't exactly know. I can't remember telling Mr. Mabray anything. Of course, it was such an informal conversation we had anyway, that these are actually I'm sure not earth shattering discrepancies, but Mr. Mabray was handwriting most of the stuff and some of the questions—I'm sure he wrote down answers that were understood rather than—since he wasn't there, he couldn't understand the setup of the control room. Now, we are in a new control room now over across the street, but at this particular time I suppose maybe my description of the control room—the difference between the control room and the newsroom possibly didn't make it clear in Mr. Mabray's mind as to the difference.

Mr. HUBERT. Well, in any case, with the exceptions that you have noted, the document which has been identified Exhibit No. 1 is substantially correct?

Mr. McCURDY. Correct; entirely correct.

Mr. HUBERT. Apparently you talked to Ruby about 5 minutes after he arrived with the sandwiches; is that correct?

Mr. McCURDY. Yes, sir.

Mr. HUBERT. You were alone with him, I believe, at that time, were you not?

Mr. McCURDY. Yes.

Mr. HUBERT. What was the nature of the conversation?

Mr. McCURDY. Well, now first of all—Jack and I met in the newsroom. I went back with him to the newsroom and we had the sandwiches and everything and I grabbed a sandwich and started back to the control room and Jack walked part of the way back with me and he stopped in the hall.

Now, as far as our conversation was concerned—it was just—Jack mentioned how terrible it was about President Kennedy being assassinated and he said he felt like it was a good thing that we had changed our station format, which we had done. We had changed our news format and weren't playing any rock and roll at the station, but were playing album music, soft listening music, and I don't know whether I mentioned it or not—I can't remember whether I mentioned it or not but he looked rather pale to me as he was talking to me and he kept looking at the floor. Well, I went on back to the control room and Jack went back to the newsroom and talked to the newsman, and then I would say 5 or 6 minutes later came back to the control room where I was by myself and he stood there and talked to me and basically told me what was on your paper right there. He told me once again—he rementioned how sorry he was that all this had happened and he gave me a little card that I think I still have, an advertisement for his club.

Mr. HUBERT. The Carousel Club?

Mr. McCURDY. Yes; the Carousel Club, and we just sat around and talked in general and he mentioned that he was going to close his club down for the week-end—I can't remember his exact words—I think it was more correct on this because it was closer to the time he said it and I gave it to the FBI man. He

said, "I'm going to close my club down this weekend. I'd rather lose 12 or 15,000—" Oh, that's a discrepancy—I think he said 12 or 1500 right there.

Mr. HUBERT. Yes.

Mr. McCURDY. It should be 12 or 1500, and he said that.

Mr. HUBERT. It's a discrepancy then in the second paragraph of page 2 of Exhibit No. 1 where it says "12 to 15,000" it should be "12 to 1500"?

Mr. McCURDY. Right. He said, "I'd rather lose 12 or 1500 this weekend by closing down than I had not to be able to live with myself." You can certainly imagine what a shock this was to me when he went out on Sunday and shot Oswald.

Mr. HUBERT. I show you a photostat of a card. Is that the Carousel Club's card?

Mr. McCURDY. As a matter of fact, I have one right here.

Mr. HUBERT. Is that the one?

Mr. McCURDY. Yes, sir.

Mr. HUBERT. You are showing me one that you're taking out of your wallet?

Mr. McCURDY. Yes; and here's another one Jack had given me earlier, a picture of one of the strippers on it.

Mr. HUBERT. These two cards are different from the one I'm showing you?

Mr. McCURDY. Yes.

Mr. HUBERT. The one I'm showing you is a part of the exhibit one page 3, Exhibit No. 1 of the deposition of David L. Johnston. Was that the type of card he gave you?

Mr. McCURDY. No; this is the one he gave me—right here. This one also, of course, is his. Now, this doesn't have any advertising for Jack, but this is the back ground on one of his girls down there that he had. Also, I have no idea why he did it, but I have one of the bottles that Jack left up there and it was a very unusual brand of soda pop that I had taken to my apartment. I took it over to the apartment and just threw it in the ice box because it was one of them that was left over, and I had heard earlier that they found some cold drink bottles up in the window where Oswald was and I was going to say if there was any kind of connection as far as this type of cold drink was concerned, I would certainly be able to identify the other bottle, if it was like this one.

Mr. HUBERT. Can you fix the time when Ruby first called by telephone, I think you received the call, didn't you?

Mr. McCURDY. Yes. Oh, my gosh, it would have to be after midnight and I'm sure it was before 1 o'clock.

Mr. HUBERT. Why do you pick those two times?

Mr. McCURDY. Well, it was my recollection that I had just come on the air. I went on at midnight at that time and Russ Knight, the Weird Beard, was still there, and he gets off at midnight, and he was sticking around the station and I placed the time that I got the call the first time, I would say, about 12:20.

Mr. HUBERT. Were there two calls or one?

Mr. McCURDY. There was only one to my recollection that Jack made.

Mr. HUBERT. Was that on the hot line?

Mr. McCURDY. No; it was on what we term the jock line. It's in my paper there. The number has since been changed. It's changed periodically.

Mr. HUBERT. Did you transfer him over to Glenn Duncan?

Mr. McCURDY. No; I didn't. As far as I know; I didn't.

Mr. HUBERT. Well, did you give him the number, the hot line number?

Mr. McCURDY. To my knowledge; I didn't.

Mr. HUBERT. You were aware that he did subsequently call Glenn? And I think you introduced him to Glenn; didn't you?

Mr. McCURDY. As far as I know; I didn't.

Mr. HUBERT. Maybe it was Mr. Moore?

Mr. McCURDY. Well, now, Russ was a closer friend to Jack than I was.

Mr. HUBERT. We have fixed then the time that he called and spoke to you—what was that conversation about?

Mr. McCURDY. Well, Jack said he had some sandwiches and some cold drinks that he would like to bring up to the station, that he knew we were working hard, and under a lot of strain, and he wanted to bring us some refreshment up, and so he brought some up. Oh, my gosh, corn beef on rye and we had some

cold drinks—Dr. Black's cold drink. The reason I remember this—they are surrounded with or had gold foil on them and he said you could only get them in New York and that they were the best cold drinks in the world, and they were in my estimation—the best cold drinks I've ever had, but as I said, I felt later I should have turned one of these bottles over to the FBI. I didn't think about it until just here recently, about turning it over to the FBI.

Mr. HUBERT. Why was that?

Mr. McCURDY. Well, because it had been said they found some cold drink bottles where Oswald supposedly shot President Kennedy, and I was going to say—for Heaven's sake, if they found the same kind as these cold drink bottles, I see no reason why they should, but if they did, it would certainly establish some kind of a link.

Mr. HUBERT. In other words, they were unique kinds of bottles?

Mr. McCURDY. They were—they certainly were.

Mr. HUBERT. Unique in shape or what?

Mr. McCURDY. Well, they were unique in shape.

Mr. HUBERT. What was the shape?

Mr. McCURDY. Well, it was more on the order of a small Pepsi-Cola bottle but the label was what was different. It had gold foil wrapped around it up at the top. It was apparently a very expensive cold drink—I would say.

Mr. HUBERT. It was called Dr. Black?

Mr. McCURDY. Dr. Black's cold drinks.

Mr. HUBERT. And your thought is that if the bottles found near the position where Oswald was supposed to be, were the same type of bottle, that would be significant, is that it?

Mr. McCURDY. It certainly would; yes.

Mr. HUBERT. That, of course, is noted and will be followed up. About how long afterward did Ruby actually appear at the station?

Mr. McCURDY. Oh, I hate to say anything contradictory to what's in the statement there, but I really can't remember what I said. I just read over it a little bit ago, though.

Mr. HUBERT. Well, do you want to look it over again?

Mr. McCURDY. Yes; let's see. "I advised that some 15 or 20 minutes later I ran downstairs between a record"—I started to putting on a record apparently or some album record, one of our albums there and I ran downstairs and opened the front door and Jack was waiting there with sandwiches and drinks and he was waiting there and apparently had been waiting a few minutes.

Mr. HUBERT. Was Russ Moore with him then at that time?

Mr. McCURDY. I can't remember. Now, I get the feeling that Russ went down with me to open the door, and the more I think about it, I'm not exactly sure that he did.

Mr. HUBERT. You said that was about 20 minutes after the phone call?

Mr. McCURDY. Right. I would say sometime before 1 o'clock, around a quarter to 1.

Mr. HUBERT. You testified a minute ago, I think, that you thought the phone call was about 12:20, so this would have been 12:40 or 12:45?

Mr. McCURDY. Right; correct.

Mr. HUBERT. How long did he stay?

Mr. McCURDY. To my knowledge Jack stayed, maybe an hour or maybe longer. After our conversation ended, I didn't really take note of whether Jack was still in there or not—he was kind of a hanger-on.

Mr. HUBERT. You didn't talk to him but just these few minutes?

Mr. McCURDY. The two times I talked to him—once in the hall and in the control room.

Mr. HUBERT. Do you remember whether he was there when Glenn Duncan went on his 2 o'clock news broadcast?

Mr. McCURDY. I can't remember—I really can't remember. I'll tell you—there was a diversionary action going on and I was paying attention to this Pappas, what's his name, that was from WNEW. Of course, all of us in markets the size of Dallas are always interested in larger markets like New York and Chicago, and I was kind of watching him, and so it threw part of my attention off of Jack on to him.

Mr. HUBERT. Do you know what a thing called an Alpawna [spelling] A-l-p-a-w-n-a box is?

Mr. McCURDY. A what?

Mr. HUBERT. An Alpawna box?

Mr. McCURDY. Alpawna box—no; I don't. I have no idea.

Mr. HUBERT. I don't either.

Mr. McCURDY. Apparently, if it was of any size, he didn't have it on him, because as I testified to the FBI agent, he didn't look like he had a gun on him of any kind. Of course, he may have.

Mr. HUBERT. Do you know how he was dressed?

Mr. McCURDY. Yes; he had on to my recollection a dark charcoal business suit with a matching dark tie and with dark shoes and a dark hat with a little funny band on it.

Mr. HUBERT. What about an overcoat?

Mr. McCURDY. No.

Mr. HUBERT. He had no topcoat on?

Mr. McCURDY. No topcoat on.

Mr. HUBERT. Are you familiar with the famous Weissman ad?

Mr. McCURDY. Weissman ad?

Mr. HUBERT. Yes; which appeared in the Dallas Morning News?

Mr. McCURDY. Oh, yes; wait a minute, what did it say?

Mr. HUBERT. It asked some questions of Mr. Kennedy and so forth.

Mr. McCURDY. It was an advertisement for a local establishment?

Mr. HUBERT. No; it was an advertisement generally critical of the President. It was a full-page ad which appeared on the day of the President's visit and at the very bottom of it it was signed by Mr. Bernard Weissman.

Mr. McCURDY. Well, I don't remember that. I do remember a local grocery store chain—I remember what it was—it was a grocery store chain or something—it was in, I think, the Morning News the next morning—they failed to pull out, after President Kennedy was killed; Saturday morning this came out and it was a picture of a rocking chair and the back of a man and it was, of course, President Kennedy and the little girl was standing there saying something cute and something funny and it would have been very funny had it not been that day, but it was just an oversight and a tragedy.

Mr. HUBERT. But in any case, coming back to the Weissman ad, you had no conversation with Ruby about any such thing?

Mr. McCURDY. Oh, no; no.

Mr. HUBERT. Did Ruby in the course of his conversation with you or with anyone else you heard advert to the Jewish question or Judaism in any way at all?

Mr. McCURDY. None whatsoever.

Mr. HUBERT. Did you hear him make any comments with respect to a pamphlet called "Heroism"?

Mr. McCURDY. No; now, I heard this—the reason this sticks in my mind is because it was by H. L. Hunt, isn't it, or a Life Line reprint from H. L. Hunt?

Mr. HUBERT. Yes.

Mr. McCURDY. Russ Knight, the Weird Beard, mentioned it to me later on that Jack had given him this. He didn't give me a copy of it, but he apparently passed it to Russ in a very militant manner, apparently, from what Russ had to say.

Mr. HUBERT. But he did not converse with you about it at all?

Mr. McCURDY. No.

Mr. HUBERT. What was Ruby's general attitude and state of mind or state of emotions that night?

Mr. McCURDY. Well, I hesitate to use any adjectives for fear of it causing it to be misleading.

Mr. HUBERT. Well, of course, it's a matter of semantics, but once we get an adjective perhaps we can then use it as a point of departure by describing physical action.

Mr. McCURDY. Right; I would say, just glancing back, that Jack's overall mood and appearance that night was—looking at it now strictly in the light of his actions on Sunday, it would appear to me that he was in a, well—to draw

a bad analogy—a state of a dormant volcano. He was very dormant, quiet—he looked like he was mulling over many things, which I'm sure he was and all of us were at that time.

Mr. HUBERT. Did he seem abnormally sad?

Mr. McCURDY. Well, more so than myself. Of course, I was very shook up about this. He did seem more so than I felt like I would have expressed it.

Mr. HUBERT. How did he manifest it?

Mr. McCURDY. By being sullen, quiet, looking at the floor, glancing far away into space for no apparent reason. This is what I remember.

Mr. HUBERT. Did he make any statements that now in retrospect you can classify as being related to his subsequent actions?

Mr. McCURDY. None.

Mr. HUBERT. No threats?

Mr. McCURDY. No.

Mr. HUBERT. Or comments such as "Somebody ought to do something about this"?

Mr. McCURDY. Well, he said he was doing something about it by closing down his club and missing his money. Now, this is something I just thought of looking back in retrospect, as you said. By him mentioning to me that he was closing down his club, apparently he was trying to give me a feeling that he was making a tremendous sacrifice, monetary sacrifice in order to hold up or support national pride of some kind of his own. Looking at it in the light of what he did on Sunday, I can see that apparently he wanted to draw some of my attention to him and that he was making a tremendous sacrifice.

Mr. HUBERT. Did you have that impression then?

Mr. McCURDY. No; I didn't—I didn't. I must say that truthfully—it's only in retrospect. It wasn't that outstanding at that particular time.

Mr. HUBERT. I believe that's all, sir. Have you anything else that you wish to add?

Mr. McCURDY. Nothing else.

Mr. HUBERT. Now, I don't believe there has been any conversation between us that has not become a part of the record; is that correct? We have not discussed anything off the record?

Mr. McCURDY. No.

Mr. HUBERT. And everything that has passed between us has become a part of this record?

Mr. McCURDY. Other than our meeting at the door. We said nothing other than, "Hello, and glad to meet you."

Mr. HUBERT. All right; very good, and thank you very much.

Mr. McCURDY. All right; thank you.

TESTIMONY OF JOHN WILKINS NEWNAM

The testimony of John Wilkins Newnam was taken at 10:51 a.m., on June 26, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Leon D. Hubert, Jr., assistant counsel of the President's Commission.

Mr. HUBERT. This is the deposition of Mr. John Newnam.

Mr. Newnam, my name is Leon Hubert. I am a member of the advisory staff of the general counsel of the President's Commission on the Assassination of President Kennedy. Under the provisions of Executive Order 11130 dated November 29, 1963, the joint resolution of Congress, No. 137, and the rules of procedure adopted by the Commission in conformance with that Executive order and that joint resolution, I have been authorized to take this sworn deposition from you. I state to you that the general nature of the Commission's inquiry is to ascertain, evaluate, and report upon the facts relative to the assassination of President Kennedy and the subsequent violent death of Lee

Harvey Oswald and the participation of Jack Ruby therein. Particularly as to you, Mr. Newnam, the nature of the inquiry today is to determine what facts you know about the death of Oswald and any other pertinent facts you may know about the general inquiry and about Jack Ruby and his operations and associates and so forth, and his movements on the pertinent days. Now, I believe you have appeared here today by virtue of a letter written to you by Mr. J. Lee Rankin, general counsel of the staff of the President's Commission, asking you to be present; is that correct, sir?

Mr. NEWNAM. That is correct.

Mr. HUBERT. When did you receive that letter, Mr. Newnam?

Mr. NEWNAM. I received this letter Wednesday, June 24.

Mr. HUBERT. What is the date of the letter or the mail stamp, if it has a mail stamp, and if it doesn't have a mail stamp, what is the date of the letter?

Mr. NEWNAM. The letter was written—the letter is dated June 22, 1964.

Mr. HUBERT. Do you have any objection to having your deposition taken today?

Mr. NEWNAM. None whatsoever; no, sir.

Mr. HUBERT. Let me state to you that under the rules of the Commission all witnesses have a right to have a 3-day written notice, but the rules also provide that a witness may waive that notice, and I take it from your previous answer that you do waive that?

Mr. NEWNAM. I do; yes; absolutely.

Mr. HUBERT. Will you rise so that I may administer the oath, please? Do you solemnly swear the testimony you are about to give in this matter will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. NEWNAM. I do.

Mr. HUBERT. Will you state your full name, sir?

Mr. NEWNAM. John Wilkins Newnam.

Mr. HUBERT. Where do you reside, sir?

Mr. NEWNAM. 3124 Kingston.

Mr. HUBERT. How old are you?

Mr. NEWNAM. Forty-three.

Mr. HUBERT. What is your occupation?

Mr. NEWNAM. Advertising salesman.

Mr. HUBERT. With what organization?

Mr. NEWNAM. Dallas Morning News.

Mr. HUBERT. How long have you been so occupied?

Mr. NEWNAM. With the News totally?

Mr. HUBERT. Yes, sir.

Mr. NEWNAM. Since 1936—January, I believe, of 1936—that's 1946-56, that's about 28 years now.

Mr. HUBERT. I suppose that's about the only job you've held in your life?

Mr. NEWNAM. That's the only job I've had—yes, sir; and in the various departments.

Mr. HUBERT. Do you have any official capacity as an officer or something of that sort?

Mr. NEWNAM. No.

Mr. HUBERT. Mr. Newnam, I want to show you a document which I have marked for identification as follows: "Dallas, Texas, June 26, 1964, Exhibit No. 4, Deposition of John Newnam." I have signed my name below that language and I ask you if you have not signed your name below my name?

Mr. NEWNAM. I have, sir.

Mr. HUBERT. Mr. Newnam, this purports to be a chart of the second floor of the building occupied by the Dallas Morning News and particularly occupied by the advertising and promotion departments of that newspaper; is that correct?

Mr. NEWNAM. This is correct; yes, sir.

Mr. HUBERT. Did you draw this yourself?

Mr. NEWNAM. I did.

Mr. HUBERT. Now, I would like you to take this document and first of all, holding it in an upright position so that your signature and mine are upright

as we look at it, and Young Street is on the right and Houston Street is on the top, I ask you, you see the word "Promotion" in a number of squares which are unnumbered, and I ask you what that means?

Mr. NEWNAM. The number of squares indicate desks in the promotion department.

Mr. HUBERT. And you have not numbered those?

Mr. NEWNAM. Right, sir.

Mr. HUBERT. I notice that in a square at the intersection of Houston and Young Streets, that is to say, in the upper right-hand corner of this chart, Exhibit No. 4, there is apparently an office; is that correct?

Mr. NEWNAM. That is correct.

Mr. HUBERT. I see a squigly line at the bottom of that and the words, "Clear glass partition." Does that mean that you can see through that?

Mr. NEWNAM. You can; yes, sir.

Mr. HUBERT. Now, there are two lines to the left of that square which apparently are intended to indicate a door, is that right?

Mr. NEWNAM. Yes, sir.

Mr. HUBERT. Is there actually a door there in the sense that there is a door to be closed?

Mr. NEWNAM. No, sir.

Mr. HUBERT. It's simply an opening; is that correct?

Mr. NEWNAM. That is correct.

Mr. HUBERT. Now, I notice a square with the No. 1 written in it and ask you what that is?

Mr. NEWNAM. That's the desk of Mr. Dick Jeffery.

Mr. HUBERT. Who is he?

Mr. NEWNAM. Promotion manager of the Dallas News.

Mr. HUBERT. Is the square in which the desk No. 1 is shown the office of Mr. Jeffery?

Mr. NEWNAM. Yes, sir.

Mr. HUBERT. I notice a dot with a circle around it and then a line leading out, and then you have to turn the paper upside down and there's the words "TV set," was there a TV set there at that position on November 22, 1963?

Mr. NEWNAM. Approximately; yes, sir.

Mr. HUBERT. Which way was the set facing—that is to say, the screen?

Mr. NEWNAM. Facing the door.

Mr. HUBERT. The door and the glass partition, is that correct?

Mr. NEWNAM. Yes, sir.

Mr. HUBERT. Now, I notice that there are a number of other squares on the Houston Street side. What are they?

Mr. NEWNAM. Other offices of officers of the advertising and promotion department.

Mr. HUBERT. Then, I notice that immediately to the left of what you've described as the promotion department, there are some posts and files; correct?

Mr. NEWNAM. Yes, sir.

Mr. HUBERT. You have a square with the No. 2 in it; what is that?

Mr. NEWNAM. No. 2 is the desk of Mr. Jim Black, the assistant retail advertising manager.

Mr. HUBERT. Immediately below No. 2 there are a number of desks, or apparently squares, having each of them two numbers in them. Will you explain what that means?

Mr. NEWNAM. That means that we have two desks side by side and each is occupied by an individual.

Mr. HUBERT. Now, we have not shown on this map the way the occupant of the desk faces, but is it true that all the occupants face Houston Street?

Mr. NEWNAM. No, sir; just the opposite. They face away from Houston Street.

Mr. HUBERT. So that their backs are there?

Mr. NEWNAM. Yes; correct—excuse me—except in the offices here [indicating]—some of these may face as Mr. Jeffery does—this way.

Mr. HUBERT. That is to say, you're talking about the offices along the Houston Street side?

Mr. NEWNAM. Yes.

Mr. HUBERT. But the numbered desks—all persons, if seated at those desks—would have their backs to Houston Street?

Mr. NEWNAM. Yes; that's right.

Mr. HUBERT. Now, would you take the map, and dictate into the record who was the occupant of the various desks, and I think you have already done so as to No. 2, so you may start with No. 3.

Mr. NEWNAM. No. 3—Miss Georgia Mayor, secretary.

Mr. HUBERT. Who is she the secretary to?

Mr. NEWNAM. She is the—just an office secretary—no individual.

Mr. HUBERT. By the way, before you go on—I take it that all of this chart and the position of the desks and the people occupying them relate to November 22, 1963; is that correct?

Mr. NEWNAM. Yes, sir; and I was just having to think. There have been a few changes from the present back to then.

Mr. HUBERT. Well, if we can just put it as to the 22d of November, then we won't have to worry about who occupies the various places now.

Mr. NEWNAM. All right.

Mr. HUBERT. No. 3 was Miss Georgia Mayor?

Mr. NEWNAM. Yes.

Mr. HUBERT. All right; go on.

Mr. NEWNAM. No. 4—Mrs. Walker, secretary to the retail advertising manager.

Mr. HUBERT. Do you remember her first name?

Mr. NEWNAM. Wanda.

Mr. HUBERT. Mrs. Wanda Walker?

Mr. NEWNAM. Mrs. Wanda Walker. No. 5—Mr. Dick Saunders, advertising salesman. No. 6—Mr. Charley Mulkey.

Mr. HUBERT. How do you spell that?

Mr. NEWNAM. (spelling). M-u-l-k-e-y, advertising salesman—these are all salesmen. No. 7—Mr. Larry Kramer (spelling) K-r-a-m-e-r, advertising salesman. Did I give you No. 6?

The REPORTER. No. 6 was Mr. Mulkey.

Mr. NEWNAM. No. 6 should be Mr. Ralph Crumpton, advertising salesman; 7 Mr. Kramer; 8 will be Mr. Charley Mulkey, advertising salesman; 9 Mr. Douglas Raiford; No. 10 Mr. "Rip" Collins—we call him by the nickname "Rip" Collins, advertising salesman; No. 11 Mr. Len (spelling) L-e-n Reynolds, advertising salesman; No. 12 Mr. Jim Packer, advertising salesman; No. 13 Mr. Paul Jones, advertising salesman; No. 14 Mr. Jim Willmon (spelling) W-i-l-m-o-n, advertising salesman; No. 15 Mr. Buddy Jones, assistant retail advertising manager; No. 16 Mr. Bob Johnson, advertising salesman; No. 17 Mr. Jim Sullivan, advertising salesman; No. 18 Mr. Bill Rea (spelling) R-e-a, advertising salesman; No. 19 Mr. Hal Cooley (spelling) C-o-o-l-e-y, advertising salesman; No. 20 Mr. Jules Allen (spelling) J-u-l-e-s A-l-l-e-n, advertising salesman; No. 21 Mr. Bill Lawson, advertising salesman; No. 22 Mr. Byron Bates, advertising salesman; No. 23 John Newnam, which is my desk, advertising salesman; No. 24 Mr. Jerry Coley (spelling) C-o-l-e-y, advertising salesman; No. 25 Mr. Don Campbell (spelling) C-a-m-p-b-e-l-l, advertising salesman; No. 26 Mr. Kenney Ritchel; No. 27 Mr. Dick Houston, advertising salesman.

Mr. HUBERT. Now, I show you two documents. The first one I have marked for identification as follows: "Dallas, Texas, June 26, 1964, Exhibit No. 1, Deposition of John Newnam," and I have signed it, and it purports to be an interview of you by FBI Agents Peden and Garriss on December 4, 1963. I think you've read that and I ask you if that is a correct report of the interview with you?

Mr. NEWNAM. The report as I read it is all correct—the second line of paragraph 2 which states, "A short time after he, Newnam, sat down," I would like to add "sat down at Mr. Byron Bates' desk," which is adjacent to my desk.

Mr. HUBERT. What again is Mr. Bates' desk, referring to the chart identified as Exhibit No. 4?

Mr. NEWNAM. That would be desk No. 22.

Mr. HUBERT. What change do you want to make—that you sat down—

Mr. NEWNAM. At Mr. Bates' desk, which would indicate I sat down next to my desk where Jack was sitting.

Mr. HUBERT. Your desk was 23?

Mr. NEWNAM. Right, sir.

Mr. HUBERT. Any other corrections?

Mr. NEWNAM. I think that's all.

Mr. HUBERT. I think you had mentioned something about Sanger-Harris?

Mr. NEWNAM. Oh, yes; in paragraph 1 reference is made to where I witnessed the parade on November 22—"at Austin and Main Streets by Sanger-Harris Brothers." It should read "Austin and Main Streets by Sanger-Harris Company."

Mr. HUBERT. In other words, you want to delete the word "Brothers" and add the word "Company"?

Mr. NEWNAM. Yes, sir.

Mr. HUBERT. Otherwise, Exhibit No. 1 is correct; is that right?

Mr. NEWNAM. Yes.

Mr. HUBERT. Now, I invite your attention to a document which I have identified as follows: "Dallas, Texas, June 26, 1964, Exhibit No. 2, Deposition of John Newnam," and I have signed my name below that inscription, and it purports to be an interview of you by Mr. Jack Peden on December 10, 1963, and I think you've read it, and I ask you if that's a correct report of the interview?

Mr. NEWNAM. It is, sir.

Mr. HUBERT. Finally, I have handed to you previously a document purporting to be a transcription of your testimony during the Ruby trial, which runs from numbered pages 28 through 46, and for the purpose of identification, I have marked page 28 as follows: "Dallas, Texas, June 26, 1964, Exhibit No. 3, Deposition of John Newnam," and I have signed my name below that and I have placed my initials in the lower right-hand corner of all the subsequent pages. I think you have read this document I have identified as Exhibit No. 3, have you not?

Mr. NEWNAM. Yes, sir.

Mr. HUBERT. According to your recollection, is that a correct transcription of the questions asked you and of the answers given by you?

Mr. NEWNAM. Yes, sir.

Mr. HUBERT. Now, I think these exhibits previously identified, indicate that you have known Jack Ruby for some considerable period of time prior to November 22?

Mr. NEWNAM. Yes, sir.

Mr. HUBERT. And in what way did you know him?

Mr. NEWNAM. I knew him as a person—as a customer of the Dallas News, in placing advertising which I handled for him.

Mr. HUBERT. I think you placed his advertising for two nightclubs he had, the Vegas and the Carousel?

Mr. NEWNAM. Right.

Mr. HUBERT. Did he always come to you with his ads?

Mr. NEWNAM. Not always because I wasn't in the office, but he would if I was there. Now, some of the other man would handle these things, in the event the man who handles the account is not present.

Mr. HUBERT. Normally you would handle his advertising?

Mr. NEWNAM. Yes.

Mr. HUBERT. How often would you see him for that purpose?

Mr. NEWNAM. Oh, I would say two or three times a week average, depending on this—it would be of course dependent upon how much advertising he planned to run.

Mr. HUBERT. Did you see him on November 22, 1963?

Mr. NEWNAM. Yes, sir.

Mr. HUBERT. Where?

Mr. NEWNAM. At the Dallas News advertising department.

Mr. HUBERT. The second floor?

Mr. NEWNAM. The second floor.

Mr. HUBERT. In the building on the corner of Houston and Young Streets?

Mr. NEWNAM. Yes, sir.

Mr. HUBERT. Could you tell us what time it was you first saw Ruby on that day?

Mr. NEWNAM. It was approximately 12:40.

Mr. HUBERT. How do you fix that time, sir?

Mr. NEWNAM. I fix that time this way: I watched the motorcade at Main and Austin. After the motorcade had passed, naturally, I proceeded to the office to take care of a few matters which had to be taken care of.

Mr. HUBERT. Had you been to the office prior to going to see the parade?

Mr. NEWNAM. I had been there early in the morning; yes, sir.

Mr. HUBERT. At what time did you leave to go to see the parade?

Mr. NEWNAM. Well, I left on our regular business—I left the office—I imagine around 9:15 or 9:30.

Mr. HUBERT. Ruby was not there then?

Mr. NEWNAM. No, sir.

Mr. HUBERT. Go ahead then about your fixing of the time at which you got back to the second floor of the building.

Mr. NEWNAM. I knew the motorcade was coming to Dallas and through downtown, and since my area covers downtown, I was rather anxious to get as much done as quickly as possible to get back to the office, and after taking care of the business which was normal to take care of, I walked back to the—I was walking back to the office because it was just about as quick to walk as to try to wait for a shopper's bus, because the crowd was gathering.

Mr. HUBERT. At the time you saw the parade, how far were you from the Dallas Morning News office?

Mr. NEWNAM. I was about—well, walking distance, I would say about 7 or 8 blocks.

Mr. HUBERT. Did you walk back?

Mr. NEWNAM. Yes.

Mr. HUBERT. Approximately what time do you think you saw the President pass?

Mr. NEWNAM. I would say approximately 12—it must have been about 12:25 or possibly 12:26.

Mr. HUBERT. Did you leave your position on Austin and Main and proceed to walk back to the Dallas Morning News Building, immediately after the President himself had passed in the motorcade?

Mr. NEWNAM. Yes, sir.

Mr. HUBERT. And you walked the 7 blocks or so?

Mr. NEWNAM. Yes, sir.

Mr. HUBERT. When you got there, was Ruby on the second floor of the Dallas Morning News?

Mr. NEWNAM. Yes; he was.

Mr. HUBERT. Was he standing or sitting or what was he doing?

Mr. NEWNAM. He was sitting at my desk.

Mr. HUBERT. That is to say—No. 23 on Exhibit No. 4, is that correct?

Mr. NEWNAM. Right, sir.

Mr. HUBERT. Did you know at that time when you first saw him, that the President had been shot?

Mr. NEWNAM. No, sir.

Mr. HUBERT. What was he doing?

Mr. NEWNAM. He was looking at a paper; I believe it was that morning's issue of the paper.

Mr. HUBERT. Well, was he engaged in drawing up the draft of an ad?

Mr. NEWNAM. This—he had already completed—this he had finished, yes.

Mr. HUBERT. How do you know that, did he hand it to you when he came in?

Mr. NEWNAM. I had—just—someone had reserved the space and he had fixed it, prepared the ad and put it in the box, which he knew what to do—the procedure.

Mr. HUBERT. Did you have any conversation with him immediately upon your arrival?

Mr. NEWNAM. Spoke.

Mr. HUBERT. Was it unusual—

Mr. NEWNAM. I just spoke in the usual manner—I said, "Hi Jack" and he spoke back, and that was about all.

Mr. HUBERT. Was it unusual that he should be occupying your desk?

Mr. NEWNAM. No, sir.

Mr. HUBERT. Was there a telephone at your desk?

Mr. NEWNAM. Yes, sir.

Mr. HUBERT. Was there a telephone at desk 22, the desk of Mr. Bates, or does that telephone serve both desks?

Mr. NEWNAM. Both desks—it serves both desks—yes—extension 386.

Mr. HUBERT. You have previously designated or stated the names of persons who occupied the various desks which are numbered on Exhibit No. 4 and I would like to ask you now whether at the time you saw Jack Ruby, to wit, 12:40 on November 22, 1963—whether all those people were seated at their desk at that time?

Mr. NEWNAM. No, sir; they were not.

Mr. HUBERT. Would you give us an estimate of who was there and who wasn't?

Mr. NEWNAM. Well, this is of course very vague. In our office people are coming and going and each tending to take care of his own routine matters and you just get to where you pay little attention to them.

Mr. HUBERT. Specifically, was Mr. Campbell there?

Mr. NEWNAM. No, sir; Mr. Campbell was not there—he was out of the office.

Mr. HUBERT. Was Mr. Jeffery in his office, which has been already identified by you on chart 4?

Mr. NEWNAM. At that time I didn't know whether he was or not. There were a number of salesmen in. I think Mr. Allen, Mr. Rea, and Mr. Johnson.

Mr. HUBERT. In other words, they weren't all there?

Mr. NEWNAM. No, sir.

Mr. HUBERT. I gather that only a quarter of them were there?

Mr. NEWNAM. Yes, this was the lunch hour, and—

Mr. HUBERT. And the Presidential parade, too?

Mr. NEWNAM. Right, and a number of them were over watching the motorcade.

Mr. HUBERT. Was Miss Georgia Mayor or Mrs. Georgia Mayor there, or do you remember?

Mr. NEWNAM. I believe she was—yes, she was.

Mr. HUBERT. Now, can you describe just how you first obtained information that the President had been shot or that there had been any shooting or any rumors or extraordinary events along those lines. How did the news come to you, and where were you?

Mr. NEWNAM. I was sitting at Mr. Bates' desk.

Mr. HUBERT. That's No. 22?

Mr. NEWNAM. That's No. 22.

Mr. HUBERT. That's of Exhibit No. 4.

Mr. NEWNAM. When Mr. Coley, with several other members of the staff, I believe Mr. Mulkey was with him, and I don't recall any others—came back and said on entering the office that the President had been shot—that there had been a shooting.

Mr. HUBERT. About what time was that?

Mr. NEWNAM. This—I would place it—approximately 12:45.

Mr. HUBERT. In other words, you are judging it in this way—that it was about 5 minutes after you had come in?

Mr. NEWNAM. Right.

Mr. HUBERT. Was Ruby sitting next to you still?

Mr. NEWNAM. He was.

Mr. HUBERT. Can you tell us whether he also heard that news?

Mr. NEWNAM. He did.

Mr. HUBERT. How do you know he did?

Mr. NEWNAM. Well, Mr. Coley just passed down the aisle and made the remark as he entered and of course all those sitting there heard it. I assume that Jack heard the same statement I did.

Mr. HUBERT. But other than your assumption that he must have heard it because it was said—in a way, I take it, that everybody within earshot could have heard it?

Mr. NEWNAM. Right.

Mr. HUBERT. Now, was there any reaction of a particular nature that you recall by Jack Ruby immediately upon hearing it?

Mr. NEWNAM. Of course, the reaction would be of disbelief—I think—stunned disbelief.

Mr. HUBERT. Are you talking about his attitude or your own?

Mr. NEWNAM. Well, I think—of course, I am assuming that he felt that way—that was the look he had on his face. Of course, this was my belief also.

Mr. HUBERT. Did he say anything?

Mr. NEWNAM. No, sir; I don't recall he said anything.

Mr. HUBERT. In other words, he seemed to have what you have described as a shocked look?

Mr. NEWNAM. Yes; yes.

Mr. HUBERT. What happened after that, do you know?

Mr. NEWNAM. After that—of course—confusion reigned—as was given in the testimony at the trial. The news spread quickly. My wife called me to ask me if I knew anything about it and, of course, it hadn't been verified at the time. She had heard what he had heard. People were calling the school where she worked to find out, or this, that, and the other. Advertisers began to call to cancel advertising they had placed for the weekend—over Saturday and Sunday and possibly Monday.

Mr. HUBERT. Was Jack Ruby still sitting next to you during the events you are now describing?

Mr. NEWNAM. During the events I am now describing, Jack was at my desk part of the time and other times we were over at Mr. Jeffery's office watching what news the television had of the events.

Mr. HUBERT. Did you walk over to Mr. Jeffery's office?

Mr. NEWNAM. Yes.

Mr. HUBERT. With Ruby?

Mr. NEWNAM. I didn't walk with him particularly. We just went—when we found out the television was on—we just—with others—we went to the office.

Mr. HUBERT. Do you know whether Ruby knew that advertisers were calling in canceling their ads?

Mr. NEWNAM. He did; yes.

Mr. HUBERT. How do you know that?

Mr. NEWNAM. He so expressed himself.

Mr. HUBERT. He so expressed himself on what?

Mr. NEWNAM. Well, sir, he was standing right next to me when I accepted several calls of this nature.

Mr. HUBERT. Standing next to you—where?

Mr. NEWNAM. The one time he was standing next to me as I was accepting a call in front of desks 3 and 4, the desks of our secretaries. There is an inner-office switchboard which accepts calls for the department, and I was there and I just accepted one call there, and Jack was with me at that time.

Mr. HUBERT. Did he say anything to indicate that he was aware that an advertiser was canceling?

Mr. NEWNAM. He knew they were; yes, sir. This was just in conversation.

Mr. HUBERT. Well, are you willing to state that your conversation with others that he could hear was such that it would be understood by anybody that you were accepting the cancellations?

Mr. NEWNAM. Yes, sir.

Mr. HUBERT. At that time had he told you anything about canceling his own ad?

Mr. NEWNAM. Not at that time; no, sir.

Mr. HUBERT. Then, did you walk over with him to Mr. Jeffery's office where the television set was?

Mr. NEWNAM. We made several trips over there. As a matter of fact, he was over there at times when I was doing some work, and it was just a matter of back and forth. In other words, the promotion people were listening and everybody was trying to figure out what was going on—there was general confusion all over the office.

Mr. HUBERT. I don't suppose that everybody was in Mr. Jeffery's office, but that some were looking through the glass?

Mr. NEWNAM. There were a number inside and most of them outside because

the offices—the nature of the office—its size—would prohibit everyone getting inside.

Mr. HUBERT. What was Ruby's attitude throughout this period?

Mr. NEWNAM. His attitude was that of most everyone else—I would say of everyone else—the attitude of disbelief, an emotional upset, I would say.

Mr. HUBERT. Was he crying?

Mr. NEWNAM. I never noticed he was crying: no, sir. This was brought out when I was questioned before, but I don't recall that he was.

Mr. HUBERT. Now, do you recall—I think you stated in here—that he called up his sister, and had you listen to her—where did that take place?

Mr. NEWNAM. This took place at my desk.

Mr. HUBERT. He called her from your desk?

Mr. NEWNAM. Yes, sir.

Mr. HUBERT. Did you observe him call her?

Mr. NEWNAM. Yes.

Mr. HUBERT. You didn't know her, did you?

Mr. NEWNAM. No, sir.

Mr. HUBERT. How did he come to put you on the phone? Give us the details about that episode.

Mr. NEWNAM. I was using the telephone on the desk behind my desk, these are telephones servicing desks 20 and 21.

Mr. HUBERT. That's on Exhibit No. 4?

Mr. NEWNAM. Yes, sir—trying to contact an account of mine regarding an ad running the next day. Jack used the telephone at my desk to call his sister, and when I had completed my call, he just motioned to me—we were standing almost side-by-side, and he motioned to me to listen and held the phone up to my ear.

Mr. HUBERT. Did you speak to the lady then?

Mr. NEWNAM. I didn't say a word then; no, sir.

Mr. HUBERT. What did you do?

Mr. NEWNAM. She was—I recall one particular statement she made, she says, "My God, what do they want?" And—she sounded very upset. Of course, I couldn't tell whether she was crying or not, but I would assume she was, and I didn't say a word to her, and I just handed the phone back to Jack.

Mr. HUBERT. Did you hear him say anything to her?

Mr. NEWNAM. I believe he was trying to calm her down, but I don't recall any specific conversation.

Mr. HUBERT. Do you remember whether that conversation with his sister took place before you went to look at the TV or after, or can you place the time in any way?

Mr. NEWNAM. This was after—I believe we had made—I had made one trip over there to just check what news there was, and I believe this was after. Now, the exact time—what time—I don't believe I could place it.

Mr. HUBERT. Do you remember whether Ruby was there when the announcement of the President's death came over the air?

Mr. NEWNAM. I believe he was.

Mr. HUBERT. Do you remember what his reaction was at that time?

Mr. NEWNAM. I don't recall—whether I even was talking to him or even saw him when that came over the air.

Mr. HUBERT. Do you recall whether he was there when the announcement of the shooting of Tippit came over the air by radio or television?

Mr. NEWNAM. Yes; I believe he was.

Mr. HUBERT. Did he make any comment or did he have any observable reaction as to that news?

Mr. NEWNAM. I don't recall any statement to that effect. I don't recall even where he was when that news came over the television.

Mr. HUBERT. But you think he was there?

Mr. NEWNAM. I think he was; yes, sir.

Mr. HUBERT. Do you know when he left?

Mr. NEWNAM. The exact time—I couldn't place specifically—I would say between—it was 1:30 or thereafter.

Mr. HUBERT. How do you fix that, sir?

Mr. NEWNAM. I fix that from the standpoint that he paid me some money for some ads he had run a few days before or a day before and he didn't have enough money to pay me for the ad he was running the next day, so I just made the remark "I'll see you next week," which was routine in fact, and he said—he just nodded and said, "yes," and he walked on out the door. I place that time also by the fact that—

Mr. HUBERT. Now, before you leave that—that paying of the money doesn't of itself, as I understand it, fix the time unless you relate it to something else?

Mr. NEWNAM. No; I'm relating it to you because that was the last transaction we had. That was the last time I saw Jack. Immediately thereafter there were a number of us who were getting together to try to figure out where we might go to have lunch and it was before 2 o'clock because our cafeteria closes ordinarily at 2 o'clock, and we finally wound up going to the cafeteria eating a light lunch. This is how I place the time—approximately.

Mr. HUBERT. Then the last dealing you had with Ruby was the payment of the money?

Mr. NEWNAM. Yes.

Mr. HUBERT. In point of time you think that was approximately 20 minutes prior to the 2 o'clock shutdown of the cafeteria?

Mr. NEWNAM. Approximately; yes, sir.

Mr. HUBERT. In other words, when you got to the cafeteria it was about to close?

Mr. NEWNAM. Really, I don't know whether they were going to close that day or not. I'll be real frank with you—it ordinarily does at 2 o'clock; yes, sir.

Mr. HUBERT. Can you place the time of his departure relative to the time that you first heard that the President was dead?

Mr. NEWNAM. That might be a little difficult to do.

Mr. HUBERT. Well, let's approach it this way: Is it your recollection that he was present when the announcement came that the President was dead?

Mr. NEWNAM. Yes; I'm sure he was in the office.

Mr. HUBERT. Is there anything that fixes it in your mind that way, so that you are able to say "I'm sure he was there"?

Mr. NEWNAM. The only thing that would fix it would be the fact that the announcement was made, but I don't even recall what time the announcement was made now. I may be assuming that he was there.

Mr. HUBERT. Do you remember any reaction of his to the fact of the President's death? You see, there was first the announcement of the shooting?

Mr. NEWNAM. Yes.

Mr. HUBERT. And then there was the Tippit shooting and then ultimately of course came the announcement of the President's death. Is there any recollection in your mind as to his reaction to that ultimate announcement of the death?

Mr. NEWNAM. No specific; no, sir.

Mr. HUBERT. After he paid you the money, did you immediately leave with your friends to go and find something to eat?

Mr. NEWNAM. No, sir.

Mr. HUBERT. How much time elapsed between the time he paid you the money and you left?

Mr. NEWNAM. Oh, I would say some 20 or 30 minutes, I don't know exactly.

Mr. HUBERT. Now, let's get at it this way: How much time elapsed, do you think, between the time of the announcement of the President's death and the time you left to go to eat?

Mr. NEWNAM. Well, I don't recall really the specific time the announcement was made. This leaves me a little bit undecided as to the specific amount of time that would elapse in there.

Mr. HUBERT. Where were you when you heard of the President's death?

Mr. NEWNAM. I was still in the department.

Mr. HUBERT. But were you at your desk?

Mr. NEWNAM. I don't recall that. We were moving from desk to desk—the boss had me handling cancellations or whatever happened to come up—we were still trying to take care of the business and do what was necessary. I do not recall exactly where I was when that announcement came out.

Mr. HUBERT. Could it be possible that Ruby left as early as, say 1 o'clock or 1:15?

Mr. NEWNAM. I wouldn't think so—I wouldn't think so.

Mr. HUBERT. Well, we'll get at it at still another way: You first came in of course at 12:40?

Mr. NEWNAM. Yes.

Mr. HUBERT. Which is a rather definite point—now, when Jack paid you the money, which was the last time you saw him—is another point—how much time do you think there would be between those two points, to wit, 12:40 and the time he paid you the money?

Mr. NEWNAM. I'm—approximately about 50 minutes.

Mr. HUBERT. That would mean he left approximately at 1:30?

Mr. NEWNAM. Around that; yes, sir.

Mr. HUBERT. Had you been told by him—had he told you then that he was canceling his ad?

Mr. NEWNAM. No, sir.

Mr. HUBERT. He didn't tell you that at all, then, did he?

Mr. NEWNAM. No, sir; I don't recall that he told me he was canceling it. I believe it was discussed. He had mentioned something about he might, but he didn't cancel the ad; it was changed.

Mr. HUBERT. Changed really to state he was going to be closed?

Mr. NEWNAM. Right.

Mr. HUBERT. Does that refresh your memory as to whether he would close the club unless he knew the President was dead?

Mr. NEWNAM. I think the action that he observed of what was going on with other people, motivated Jack to close his club.

Mr. HUBERT. Or to make the announcement?

Mr. NEWNAM. Right, sir.

Mr. HUBERT. He did say he was going to close his club before he left?

Mr. NEWNAM. I don't know that he specifically said that—I don't recall it—he might have.

Mr. HUBERT. At the time that he spoke to his sister and you also listened to her, had the announcement of the President's death been made yet?

Mr. NEWNAM. I don't believe it had. We knew that the shooting had happened. We knew that he had been shot. I don't believe that we knew specifically that he was dead. I don't recall the exact time that we learned this information.

Mr. HUBERT. Did Ruby talk to you about the Weissman ad—you're familiar with that ad?

Mr. NEWNAM. Oh, yes, sir.

Mr. HUBERT. Do you recall any conversation with Ruby about that—what he said to you, or did he say anything?

Mr. NEWNAM. I recall there was some brief conversation about it relative to the fact that he didn't particularly think it was in good taste or something like that.

Mr. HUBERT. When did that conversation take place, do you recall? Was it on November 22? Or, could it have been earlier?

Mr. NEWNAM. Yes, sir; it had to be the 22d—no one knew about it before then. It must have been right after I came to the office and I was standing at Mr. Bates' desk.

Mr. HUBERT. Was he remonstrating with you or what was his general attitude about it?

Mr. NEWNAM. I think he just was discussing it.

Mr. HUBERT. Was he complaining that the paper had taken the ad?

Mr. NEWNAM. I don't recall that he particularly complained about it. He was concerned about the nature of the ad.

Mr. HUBERT. How did he express his concern?

Mr. NEWNAM. Oh, he was—of course, he had read the ad the night before. It had come out on the street in the early edition, but he was specifically—as to what he said by words, I don't recall. It's just a matter that he was commenting on it. I remember that. All the time I was doing some work trying to get some of the stuff out of the way.

Mr. HUBERT. That was prior to the announcement of the shooting at all?

Mr. NEWNAM. Yes, sir.

Mr. HUBERT. And you don't remember the exact words, but whatever they were, he addressed himself to the Weissman ad and your recollection is that whatever he said, showed some concern, as you put it?

Mr. NEWNAM. Some concern—yes, sir.

Mr. HUBERT. Was it a concern favorable to the content or impact of the Weissman ad or the converse?

Mr. NEWNAM. I would say the converse.

Mr. HUBERT. In other words, he was opposed to the Weissman ad?

Mr. NEWNAM. Yes, sir.

Mr. HUBERT. And that concern was as to "Why should such an adv. appear to be taken by the newspapers"?

Mr. NEWNAM. Yes; this would be the general concern.

Mr. HUBERT. Now, I think you have said that you are quite certain that the news of the Tippit shooting was known to you and to Jack prior to Jack's leaving the office?

Mr. NEWNAM. There was knowledge that—whether the man's name was known—but it was known that an officer had been shot.

Mr. HUBERT. And you think Jack knew that prior to leaving?

Mr. NEWNAM. Yes; I think so.

Mr. HUBERT. Is there anything that fixes that in your mind?

Mr. NEWNAM. No; except the fact that I think he heard it and other people who were there at the time probably heard it at the same time.

Mr. HUBERT. In any case, your thought is that his time of departure, which was contemporaneous with the payment of some money over to you was at approximately 1:30?

Mr. NEWNAM. Approximately; yes, sir.

Mr. HUBERT. And it could have been before the announcement of the President's death, or after?

Mr. NEWNAM. Yes; because I don't recall exactly what time that announcement came over.

Mr. HUBERT. He did mention to you that he was going to close his clubs?

Mr. NEWNAM. I think he was—it had been discussed. He didn't say specifically that he was—I don't recall that he did.

Mr. HUBERT. But he was considering it in any case?

Mr. NEWNAM. I'm sure he was.

Mr. HUBERT. And whatever he said to you indicated that he was considering closing the club?

Mr. NEWNAM. Yes, sir; but he didn't tell me at the time, or we could have gone ahead and made the changes then.

Mr. HUBERT. But the changes were in fact not made by you?

Mr. NEWNAM. No, sir.

Mr. HUBERT. Could you give us an estimate of what period of time which elapsed between 12:40, when you first came in, and the telephone conversation by Ruby with his sister?

Mr. NEWNAM. It would be just a guess—15 minutes—20 minutes—perhaps.

Mr. HUBERT. Can you put it the other way—how long before he left was this call between Ruby and his sister?

Mr. NEWNAM. I would approximate that this call must have been made around 1 o'clock. Now, to nail it down exactly how I approximate that—I'm just not real sure.

Mr. HUBERT. There's no record kept of a call of that sort, is there?

Mr. NEWNAM. No, sir; it was after—of course, it was after the 12 noon deadline, which our deadline is for either getting ads in the paper or taking them out. This is normal procedure, however, since what happened—naturally we disregarded deadlines and were trying to take care of the needs of those advertisers—whatever they would like to do.

Mr. HUBERT. In your judgment, it was about 15 or 20 minutes after you came in, which was at 12:40?

Mr. NEWNAM. Yes.

Mr. HUBERT. This was the time of the phone call?

Mr. NEWNAM. I would guess so.

Mr. HUBERT. Do you know who placed the Weissman ad or did you have any dealings with the placement of the Weissman ad?

Mr. NEWNAM. I had no dealings at all with the placement of the ad, nor do I know the gentleman who placed it.

Mr. HUBERT. All right, sir. I think that is all. Let me ask you this—we have had a few words of conversation prior to the beginning of this deposition, principally in connection with your drawing of this map or chart, Exhibit No. 4. Has there been any conversation between us that has not been substantially covered in the deposition since it began?

Mr. NEWNAM. There was one thing which might be pertinent which I think—the question has been brought up about being able to see the Texas School Book Depository from my desk.

Mr. HUBERT. Of course, that was not part of the conversation here this morning.

Mr. NEWNAM. Right.

Mr. HUBERT. Since you have brought it up, I would like to have your comments on that point?

Mr. NEWNAM. And the Building—that portion of the Building cannot be seen from my desk as such.

Mr. HUBERT. Can it be seen from Mr. Jeffery's office?

Mr. NEWNAM. Yes, sir; it can be seen from Mr. Jeffery's desk and Mr. Saunders' desk.

Mr. HUBERT. Or any place near the intersection of Young and Houston Streets, I take it?

Mr. NEWNAM. Well, outside of course you can see it. All of the desks—the reason you can't see it from my desk would be this post right here.

Mr. HUBERT. It's how far away?

Mr. NEWNAM. The Building?

Mr. HUBERT. Yes; how far from the second floor to the Texas Depository Building by way of line of sight?

Mr. NEWNAM. Of course, my line of sight estimate would be—I'd have to go by blocks. There's the Plaza, and then there's the block the hotel is in, and the courthouse—two courthouses—5 blocks.

Mr. HUBERT. About 5 blocks?

Mr. NEWNAM. Yes.

Mr. HUBERT. Have you any other comment you wish to make?

Mr. NEWNAM. I don't believe so, sir.

Mr. HUBERT. Thank you very much. You've been most cooperative and helpful. This is something we didn't have at all.

Mr. NEWNAM. Thank you. I hope that takes care of it.

Mr. HUBERT. Yes; I hope so, and that is all.

TESTIMONY OF ROBERT L. NORTON

The testimony of Robert L. Norton was taken at 11:05 a.m., on June 27, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Leon D. Hubert, Jr., assistant counsel of the President's Commission.

Mr. HUBERT. This is the deposition of Robert L. Norton.

Mr. Norton, my name is Leon Hubert. I am a member of the advisory staff of the general counsel of the President's Commission on the Assassination of President Kennedy. Under the provisions of Executive Order 11130, dated November 28, 1963, and the joint resolution of Congress, No. 137, and the rules of procedure adopted by the President's Commission in conformance with that Executive order and that joint resolution, I have been authorized to take a sworn deposition from you.

I state to you that the general nature of the Commission's inquiry is to ascertain, evaluate, and report upon the facts relative to the assassination of President Kennedy and the subsequent violent death of Lee Harvey Oswald. In particular as to you, Mr. Norton, the nature of the inquiry today is to determine what facts you know about the death of Oswald and any other pertinent facts you may know about the general inquiry and about Jack Ruby and his operations and movements and associates and so forth. I think you appeared here today by virtue of a letter addressed to you by Mr. J. Lee Rankin, general counsel of the staff of the President's Commission, asking you to come here; isn't that correct?

Mr. NORTON. Right.

Mr. HUBERT. Do you remember the date of that letter?

Mr. NORTON. No.

Mr. HUBERT. Perhaps you can tell us when you received it?

Mr. NORTON. Let's see—it must have been Wednesday, I believe. I'm not for sure. It was this week—right in the middle of the week.

Mr. HUBERT. The rules of the Commission provide that every witness is entitled to a 3-day written notice prior to the taking of their deposition, but those rules also provide that you may waive that requirement. I ask you now that in the event you have not been given the full 3-days' notice, are you willing to waive that right in order to testify now?

Mr. NORTON. Yes.

Mr. HUBERT. All right, will you stand and raise your right hand?

Mr. NORTON. Yes.

Mr. HUBERT. Do you solemnly swear that the testimony you are about to give in this matter will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. NORTON. Yes.

Mr. HUBERT. State your name for the record, please?

Mr. NORTON. Robert L. Norton.

Mr. HUBERT. What is your residence address, Mr. Norton?

Mr. NORTON. 3414 Manana [spelling] M-a-n-a-n-a.

Mr. HUBERT. That's in Dallas?

Mr. NORTON. In Dallas.

Mr. HUBERT. What is your occupation, sir?

Mr. NORTON. I'm in the entertainment business.

Mr. HUBERT. How long have you been in that business?

Mr. NORTON. About 7 years now.

Mr. HUBERT. What business did you have prior to that time?

Mr. NORTON. I was a salesman for Colgate-Palmolive Co.

Mr. HUBERT. What aspect of the entertainment business have you been in?

Mr. NORTON. I have been primarily in, for the last 7 years, a private club business, which is a rather new business here in Texas.

Mr. HUBERT. Have you had one or more clubs?

Mr. NORTON. Well, I have one and I'm associated with two others.

Mr. HUBERT. What others have you had, say, in the last 7 years? I think you are the entire owner or associated in the ownership of the Pago Club?

Mr. NORTON. Right.

Mr. HUBERT. You are the entire owner?

Mr. NORTON. Well, actually, I own the equipment and fixtures and due to our State liquor laws, it has been—it has to be leased to the club, and the club actually is owned by its members.

Mr. HUBERT. You are the operating manager?

Mr. NORTON. Yes; I am the operating manager.

Mr. HUBERT. That's located at 4611 Cole Street, I believe?

Mr. NORTON. No; that's my office, sir. The Pago Club is located at 2822 McKinney.

Mr. HUBERT. How long have you been connected with the Pago Club?

Mr. NORTON. Oh, that's been about 5 years since it was started.

Mr. HUBERT. Back last November, that is to say, November 1963, you had the same connection with the Pago Club as you have now and have had?

Mr. NORTON. Yes.

Mr. HUBERT. Did you have any other clubs then?

Mr. NORTON. Yes.

Mr. HUBERT. Which ones?

Mr. NORTON. I was associated with the Red Garter Club.

Mr. HUBERT. Who else is associated with you in the operation of the Red Garter Club?

Mr. NORTON. Mr. Charley Kiser operates the Red Garter.

Mr. HUBERT. Is that [spelling] K-a-i-s-e-r?

Mr. NORTON (spelling). No; K-i-s-e-r is the way he spells it.

Mr. HUBERT. Where is that located?

Mr. NORTON. That's 3412 Kings Road.

Mr. HUBERT. That's in Dallas?

Mr. NORTON. Yes.

Mr. HUBERT. Is that a similar operation?

Mr. NORTON. Yes.

Mr. HUBERT. It's a similar operation to the Pago Club?

Mr. NORTON. It's similar but a different motif.

Mr. HUBERT. And you have a financial interest in it?

Mr. NORTON. I own the fixtures.

Mr. HUBERT. He operates the club?

Mr. NORTON. Yes.

Mr. HUBERT. I'm not interested in your portion or what you get out of it, but you do have some financial benefit from it?

Mr. NORTON. Yes; I do have.

Mr. HUBERT. Any other clubs at that time?

Mr. NORTON. At that time—the Keynote Club.

Mr. HUBERT. Where is it located?

Mr. NORTON. It's on Cole—4527.

Mr. HUBERT (spelling). C-o-l-e?

Mr. NORTON. Yes.

Mr. HUBERT. And who manages that?

Mr. NORTON. Louis Byrum.

Mr. HUBERT (spelling). B-y-r-u-m?

Mr. NORTON. Yes.

Mr. HUBERT. Do you have any others?

Mr. NORTON. No; since then I am associated with a new one that's just been opened, and this was just 2 weeks ago.

Mr. HUBERT. This address at 4611 Cole which you say is your office, is that a residence?

Mr. NORTON. No; that's a building. That's an office building.

Mr. HUBERT. You have your own offices there rather than in your club, is that correct?

Mr. NORTON. Right; well, it's a joint office where all of us meet and have room to do our necessary bookwork.

Mr. HUBERT. Now, you know Jack Ruby, of course, don't you?

Mr. NORTON. Yes; I have known him.

Mr. HUBERT. How long have you known him?

Mr. NORTON. Well, I've known him ever since I have been in the business. My first location was on Lemmon and he had this Vegas Club down on Oaklawn.

Mr. HUBERT. They were close together?

Mr. NORTON. Well, it's about a mile, I guess, 2 miles at the most.

Mr. HUBERT. In a sense you were competitors, I suppose?

Mr. NORTON. Well, in a sense, although he ran a different type of business than I did. He had a dance place there on Oak Lawn and my place was—his was open to the public and mine was closed to membership.

Mr. HUBERT. Was he a member of your club?

Mr. NORTON. No; I had shown him the courtesy as an operator when he would drop in, such as we do, you know, to be a guest.

Mr. HUBERT. That's mutual, I suppose, it's reciprocal?

Mr. NORTON. It's done—yes.

Mr. HUBERT. Now, I want to show you a report of an interview of you by FBI Agent Joe Abernathy, dated November 26, 1963, which I have marked

for identification on the right-hand margin as follows: "Dallas, Texas, June 27, 1964, Exhibit No. 1 in the deposition of Robert Norton," and I have signed my name below it. It consists of about a third of one page. I would like you to read that and tell me afterwards whether or not you recollect the interview and whether that's a fair report of that interview.

Mr. NORTON (read instrument referred to). This is what I said and I also called Tuesday and reported to the FBI the fact that I had seen him at 12 o'clock and I asked him if they wanted me to come down and the man on the phone said I could just give him a statement over the phone. This was right after the President was buried.

Mr. HUBERT. In other words, this report——

Mr. NORTON. This is the second report that I made. I phoned in.

Mr. HUBERT. Well, did you ever have a person-to-person interview?

Mr. NORTON. Yes; this gentleman here was in the club.

Mr. HUBERT. That was on Tuesday, November 26, and you had telephoned the information to the FBI previous to that?

Mr. NORTON. Yes, sir.

Mr. HUBERT. And then did they come out on the same day and interview you?

Mr. NORTON. No; it was later. I wasn't personally interviewed until later. I don't remember just how long but it was sometime after I phoned in.

Mr. HUBERT. But you did phone in on Tuesday?

Mr. NORTON. Yes; I did.

Mr. HUBERT. Why did you phone in?

Mr. NORTON. Well, I just thought I should.

Mr. HUBERT. In other words, you thought that you had some information about his movements?

Mr. NORTON. That's right.

Mr. HUBERT. And that therefore you should report it and you did do so?

Mr. NORTON. That's right.

Mr. HUBERT. How well did you know Ruby?

Mr. NORTON. Not well at all. I knew him strictly in a business manner and association. Occasionally, like I say, he would drop over to the place. We had a club association started in Dallas and I was president of that and I knew a number of different club operators and knew him through this means. I on occasion have been in his place, but I didn't frequent it. It wasn't that I disapproved but I just didn't care for his operation, which I never had any reason to go there other than just to visit once in a while to say "Hello".

Mr. HUBERT. You've known him, you say, about 8 or 10 years?

Mr. NORTON. No; I've known him about 5. I was in the business about 2 years before I ever met him.

Mr. HUBERT. There was no social relationship between you?

Mr. NORTON. None whatsoever. I have some friends who went to his club.

Mr. HUBERT. You didn't visit with him in his home?

Mr. NORTON. No, sir.

Mr. HUBERT. Would you say you saw him three or four times a year or more or less?

Mr. NORTON. Possibly after I met him—yes.

Mr. HUBERT. And it would be either at his club or he dropped in at your club?

Mr. NORTON. That's right.

Mr. HUBERT. Or one of the meetings of the association?

Mr. NORTON. That's right.

Mr. HUBERT. I think you say in this statement which has been identified as Exhibit No. 1 that Ruby came in about midnight on the 23d. Now, was that Saturday?

Mr. NORTON. It was a Saturday.

Mr. HUBERT. Was it about midnight?

Mr. NORTON. It was about midnight.

Mr. HUBERT. How do you fix that?

Mr. NORTON. How do I fix the time?

Mr. HUBERT. Yes.

Mr. NORTON. I was talking with some other members of the club and I was on the other side of the room and my band had just taken their last break, their last 15-minute break, and that's the only reason I was able really to fix the time. You see, we're open until 1 o'clock on Saturday. They have 15-minute breaks.

Mr. HUBERT. That was from 12 to 12:15?

Mr. NORTON. Yes.

Mr. HUBERT. Do they observe that fairly carefully?

Mr. NORTON. Oh, yes; very definitely.

Mr. HUBERT. I mean; would you say the break would always occur at that time?

Mr. NORTON. Well, it could vary 5 minutes either way but not much more than that.

Mr. HUBERT. Not much more than that, you say?

Mr. NORTON. No; my customers are in a habit of knowing that they have a 15-minute break on the hour and then back for an hour.

Mr. HUBERT. That's customary throughout the industry?

Mr. NORTON. Yes; it is.

Mr. HUBERT. They play for an hour?

Mr. NORTON. Forty-five minutes on and 15 minutes off.

Mr. HUBERT. And this was on the last break?

Mr. NORTON. Yes.

Mr. HUBERT. You say he came in right after the break?

Mr. NORTON. Well, I don't know exactly when. I walked by his table and didn't even know he was in the house. Like I do—I always try to notice who's in my place and I looked backward as I walked by and there he was, just sitting there by himself.

Mr. HUBERT. The band had just broken up for its break so that you fix it at 12 o'clock?

Mr. NORTON. That's about—it's in that vicinity.

Mr. HUBERT. Is it possible he could have been in there for a considerable time prior to that?

Mr. NORTON. No; I don't think so. I can't say for sure. My manager was at the door and saw him and greeted him when he came in.

Mr. HUBERT. Who was that?

Mr. NORTON. Anice Byrum.

Mr. HUBERT. I think you gave the full name awhile ago?

Mr. NORTON. Well, that was her husband's name. She is manager of my club and he has this other place.

Mr. HUBERT. What is her name?

Mr. NORTON. Anice Byrum.

Mr. HUBERT. And she's the wife of whom?

Mr. NORTON. She's the wife of the manager of the Keynote.

Mr. HUBERT. And his name is Louis?

Mr. NORTON. His name is Louis Byrum.

Mr. HUBERT. And where do they live?

Mr. NORTON. They live on Singing Hills Street in Oak Cliff.

Mr. HUBERT. She saw him come in?

Mr. NORTON. Yes.

Mr. HUBERT. Has she ever spoken to you about what time it was?

Mr. NORTON. No—of course, with the shock of it all Sunday and we discussed it the first part of the week in the office, and all I remember her saying was he hadn't been there any time at all, because I didn't see him come in, and I asked her, I said, "How long had he been in there?"

Mr. HUBERT. What did she say?

Mr. NORTON. She said it hadn't been long. He had had time to finish a Coca-Cola because when I saw him and said "Hello" and turned around and sat down, he had just finished a coke and I was having a drink and I ordered him one, another coke, and he drank another coke and he drank that and he left.

Mr. HUBERT. So, from the time you saw him until the time he left, how much time passed?

Mr. NORTON. I'd say 15 or 20 minutes.

Mr. HUBERT. You were sitting at the table with him at that time?

Mr. NORTON. Yes.

Mr. HUBERT. I would assume that the orchestra began to play then before he left?

Mr. NORTON. Yes.

Mr. HUBERT. What was the general nature of the conversation?

Mr. NORTON. Well, like I say—when I walked by, I hadn't seen him in a good while.

Mr. HUBERT. How long had it been since you had seen him?

Mr. NORTON. He was in the club one afternoon about, I'd say 4 to 6 weeks prior to that, with a man from Fort Worth.

Mr. HUBERT. They were just in for a drink?

Mr. NORTON. Well, the man was. I never saw Jack take a drink.

Mr. HUBERT. They weren't there on business, were they?

Mr. NORTON. No. You see, often times people in this business, that's the way I always do, they just drop by and say "Hello" and see what the other person is doing in the way of business. That's the only way I took it.

Mr. HUBERT. Do you know who this man was from Fort Worth?

Mr. NORTON. No; but that conversation—they were discussing a business card idea, and it was some kind of plastic business, because he had a transparent business card with him.

Mr. HUBERT. How did you know the man was from Fort Worth?

Mr. NORTON. They said he was from Fort Worth.

Mr. HUBERT. In other words, he introduced you but you don't remember his name?

Mr. NORTON. I sure don't.

Mr. HUBERT. But you do remember that he was from Fort Worth?

Mr. NORTON. That's as I understand it.

Mr. HUBERT. All right, coming back to the 23d, which really went over into the 24th, didn't it, because midnight came right at that point, you had a conversation of about 15 or 20 minutes with him seated at the table?

Mr. NORTON. Yes.

Mr. HUBERT. What did you talk about generally, do you know?

Mr. NORTON. Well, when I saw him sitting there, I just said, "Hello, Jack, I didn't know you were in the house". I remember naturally just thinking about it, after what he did, and so I sat down a minute with him and I asked him what he had been doing, and I don't remember whether I said, which it says in this, that I said—that I asked him if he was closed. I don't think I asked him that because we discussed it later, just before he left, because I made the comment that I don't know whether I should open or not, and when I made that statement, that's when he told me he was closed, and I know that's the way it was.

In other words, we simply discussed—there was no discussion—this association had just been finalized. We closed it down because we couldn't get the people to be here for the meetings and I discussed that with him, what was done at a final meeting, but I wasn't at the final meeting and there was a few dollars involved that were distributed among the members to eliminate it, that there had been accumulated, you know, a collection of dues, and then he talked to me about how fortunate I was to have the business that I had, and he thought I ran a nice club—a nice place, and it was just like I told the officer on the phone and also the man who interviewed me—I'm the one that made mention of the assassination, just before he left. He didn't say a word to me about it, and even when I said it, he just didn't have much to say. He didn't express his opinion like I did mine, and he said he was tired and he was going home.

Mr. HUBERT. Did he indicate at anytime where he had been?

Mr. NORTON. No, and I didn't ask him. I mean—there wasn't any reason to.

Mr. HUBERT. No, I understand that, but I thought he might have dropped some word that would indicate where he had been?

Mr. NORTON. No.

Mr. HUBERT. Did he indicate where he was going when he left?

Mr. NORTON. Yes; he said he was tired and he was going home.

Mr. HUBERT. And that was about 12:15 or 12:20?

Mr. NORTON. Somewhere around there.

Mr. HUBERT. He was alone?

Mr. NORTON. He was by himself.

Mr. HUBERT. Did you see him drive off or did he just get up and walk out of the club?

Mr. NORTON. No; when he left, I just continued to talk to my customers.

Mr. HUBERT. I gather from what you said that there was very little conversation about the assassination altogether, and what little there was came from you?

Mr. NORTON. I mentioned it; yes.

Mr. HUBERT. He made no comment about the assassination at all?

Mr. NORTON. No.

Mr. HUBERT. Did he indicate any disapproval of the fact that your club was open?

Mr. NORTON. No, and he just didn't—like I say—I didn't know until after I had discussed the fact that—I didn't know whether it was proper or improper to open but everybody had been so shocked, you know, that I went ahead and opened, but I mentioned that I was certainly going to close Monday.

Mr. HUBERT. And he indicated to you that he was closed?

Mr. NORTON. Yes; he had been closed since it happened.

Mr. HUBERT. But you didn't really ask him, so that this report is incorrect when it says that you asked him. He told you after you expressed your concern that his clubs were closed?

Mr. NORTON. Yes.

Mr. HUBERT. When he came in or at anytime during the conversation did he ask you for anyone or inquire about anyone?

Mr. NORTON. No, sir.

Mr. HUBERT. Specifically, did he ask you about a Breck Wall?

Mr. NORTON. No, sir.

Mr. HUBERT. Do you know Breck Wall?

Mr. NORTON. I know the name but I don't know—I can't place it—I say I know the name, I've heard the name.

Mr. HUBERT. Did he ask you or make any inquiry about a man named George Senator?

Mr. NORTON. No, sir.

Mr. HUBERT. Did he ask you or make any inquiry about a man named Joe Peterson?

Mr. NORTON. No, sir.

Mr. HUBERT. Did any of those persons—Breck Wall, George Senator or Joe Peterson frequent the Pago Club?

Mr. NORTON. To my knowledge; no, but I do—for some reason recognize the name "Breck Wall" and I've heard of the name "Joe Peterson".

Mr. HUBERT. It may help you if I tell you that they were entertainers at the Adolphus Hotel during this period, possibly that's the reason?

Mr. NORTON. It could be, but there are an awful lot of names that come through my place of business and those names—it could be that I remember them from that.

Mr. HUBERT. Did Ruby make any comment on what effect the assassination of President Kennedy might have on business generally in Dallas and particularly the nightclub business?

Mr. NORTON. No, sir.

Mr. HUBERT. As I say, and I repeat it for the sake of emphasis, he mentioned or he said nothing about the assassination at all?

Mr. NORTON. To the best of my memory—that's the part—that's what I discussed with people that I know about it. I said, "He didn't even voice any contempt," which I did for what had been done.

Mr. HUBERT. He didn't concur in your view or express any concurrence?

Mr. NORTON. I can't remember anything he answered back because I was the one—I don't mind saying—I think at first I said, "It was terrible and I think it was an insult to our country" and then to the man—"it was terrible for the man himself," and that's the statement I made, that "we couldn't do enough to the person that had done this sort of thing." I made that statement and he didn't say a word back that even indicated he was—to me he didn't. I guess I made

a more violent statement than anything that was said because I really felt that way.

Mr. HUBERT. And your statement was to the effect that nothing would be too bad for that person—something along those lines?

Mr. NORTON. Well, I meant by that—I just meant the extremes of the law. I said, "Nobody has the right to take the life of another one" and I meant it.

Mr. HUBERT. Was there any suggestion in what you said that somebody ought to shoot Oswald?

Mr. NORTON. No, sir. No, sir.

Mr. HUBERT. Did you have any indication whatsoever as to why Ruby came by?

Mr. NORTON. No, sir.

Mr. HUBERT. Had he ever done that before at night?

Mr. NORTON. Not at that time; no, sir.

Mr. HUBERT. I take it that he didn't mention to you the Earl Warren poster?

Mr. NORTON. No, sir.

Mr. HUBERT. He didn't discuss Oswald at all?

Mr. NORTON. No, sir.

Mr. HUBERT. He didn't discuss whether there were any groups behind Oswald or conspiracy or anything of that sort?

Mr. NORTON. Not one word. That surprised me because I've seen on a couple occasions Jack get very exasperated with his help, you know, down at his place, but he was more calm than I was about it. That is—in the conversation I had with him—he was.

Mr. HUBERT. All right, sir, is there anything else you want to comment upon?

Mr. NORTON. Nothing that I know of other than this is what I explained to the officer in my club. I said, "Actually, I guess there's very little I can do in helping, but I feel like you ought to know he was there," which I did.

Mr. HUBERT. Just so the record may be complete on it, we have had no conversations, have we, since I first met you a few moments ago other than what has been recorded in this room?

Mr. NORTON. No, sir.

Mr. HUBERT. Thank you very much indeed.

Mr. NORTON. All right.

(At this time the witness, Norton, left the deposing room and shortly thereafter returned to such room and the proceedings continued as follows:)

Mr. HUBERT. This is Robert Norton and your deposition was finished a few moments ago and you had left the room and actually had proceeded downstairs, but you thought of something that you thought you should tell us and so you have come back up again, and now you want to state something more.

You understand, of course, that this second proceeding here is being conducted under the same terms and conditions as the first?

Mr. NORTON. Yes.

Mr. HUBERT. And that you are under the same oath that you were on the first?

Mr. NORTON. Yes.

Mr. HUBERT. Now, will you tell us, please, what it is that you've thought about that you want to add?

Mr. NORTON. Well, I started to leave and I remembered that—well, I thought about it up here because we were discussing what was said in my place of business, but my manager and I in the office 2 or 3 days after it happened—I don't remember exactly—discussed the fact that Jack Ruby's sister was just out of the hospital and all of this happening and everything, we sent to her a sympathy card.

Mr. HUBERT. Was it a sympathy card concerning her illness or concerning Jack's trouble, or what?

Mr. NORTON. It was, as I remember it, it was just a general card. I didn't purchase the card. My manager did.

Mr. HUBERT. It was a printed card?

Mr. NORTON. Yes; it was a printed card.

Mr. HUBERT. That was sent about how many days after the shooting of Oswald?

Mr. NORTON. I would say 2 or 3 days.

Mr. HUBERT. And then did you have anything else you wished to say?

Mr. NORTON. And then 2 or 3 days later I received a letter or a note—it was in a letter form, and it was addressed to Anice and Bob, that's my manager's name, and she opened it and it was from Jack Ruby.

Mr. HUBERT. From the jail?

Mr. NORTON. From the jail.

Mr. HUBERT. What did it say?

Mr. NORTON. Simply—"thank you for your"—something like "your concern"—I guess she took it to him. It wasn't sent to him, we didn't send it to him, but I surmised that she just told him about it or something and he sent this little note back and wished us luck.

Mr. HUBERT. Do you still have that note?

Mr. NORTON. Yes—I started to throw it away and Anice told me to keep it.

Mr. HUBERT. I would suggest that you hold it a bit. It may well be that the Commission or the Federal Bureau of Investigation will want to look at it, so I would not destroy it if I were you.

I'm glad you came back and told us about this.

Mr. NORTON. Well, I just don't want to be connected with this in any way other than I'm here to help and that's the reason I wanted to come back up here and tell about that, because I hadn't mentioned.

Mr. HUBERT. That's right. You didn't want to be put in the position of having come here and omitted to say something that does bear upon your relationship with Jack Ruby, but which you had not said before?

Mr. NORTON. Right.

Mr. HUBERT. All right, I think that's fine. Thank you, sir.

Mr. NORTON. Thank you.

TESTIMONY OF ROY A. PRYOR

The testimony of Roy A. Pryor was taken at 7:50 p.m., on June 26, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Leon D. Hubert, Jr., assistant counsel of the President's Commission.

Mr. HUBERT. This is the deposition of Roy A. Pryor.

Mr. Pryor, my name is Leon Hubert. I am a member of the advisory staff of the general counsel on the President's Commission. Under the provisions of Executive Order 11130, dated November 29, 1963, and the joint resolution of Congress No. 137, and the rules of procedure adopted by the President's Commission in conformance with the Executive order and the joint resolution, I have been authorized to take a sworn deposition from you.

I state to you that the general nature of the Commission's inquiry is to ascertain, evaluate, and report upon the facts relative to the assassination of President Kennedy and the subsequent violent death of Lee Harvey Oswald.

In particular as to you, Mr. Pryor, the nature of the inquiry today is to determine what facts you know about the death of Oswald and any other pertinent facts you may know about the general inquiry and about Jack Ruby and his operations and movements and so forth.

I think you appeared here tonight by virtue of a letter written to you by Mr. J. Lee Rankin, general counsel of the President's Commission, asking you to come here, and I think that letter is dated the 22d of June, is it not? When did you receive it?

Mr. PRYOR. Day before yesterday, which would be the 24th.

Mr. HUBERT. Under the rules adopted by the Commission, every witness is entitled to a 3-day written notice prior to the taking of his deposition, and the rules also provide that a witness may waive that notice if he sees fit to do so, and in the event it should turn out that you have not had the 3-day notice, are you willing to waive it and let your deposition be taken now?

Mr. PRYOR. That's perfectly all right, sir.

Mr. HUBERT. You are willing to have your deposition taken?

Mr. PRYOR. Yes.

Mr. HUBERT. Will you stand and I will administer the oath?

Do you solemnly swear that the testimony you are about to give in this matter will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. PRYOR. Yes; I do.

Mr. HUBERT. Will you state your name?

Mr. PRYOR. Roy Auburn Pryor [spelling] A-u-b-u-r-n.

Mr. HUBERT. Your age?

Mr. PRYOR. I'm 41.

Mr. HUBERT. Your address?

Mr. PRYOR. 8544 Foxwood Lane. The address on the letter was to 2716 Mohave Drive, and since then I have moved.

Mr. HUBERT. Will you state that address again, please?

Mr. PRYOR. 8544 Foxwood Lane.

Mr. HUBERT. That's in Dallas?

Mr. PRYOR. Yes, sir.

Mr. HUBERT. What is your occupation, Mr. Pryor?

Mr. PRYOR. I work as a printer in the composing room of the Dallas Times Herald.

Mr. HUBERT. How long have you been so occupied?

Mr. PRYOR. Approximately 3½ years.

Mr. HUBERT. Are you married?

Mr. PRYOR. Yes, sir.

Mr. HUBERT. What was your occupation prior to your association with the Dallas Times Herald?

Mr. PRYOR. It has been varied. I mean—I have done radio and television promotional advertising and have owned a small printshop of my own. I have worked as a salesman from selling Kirby vacuum cleaners to—and I have then worked as an emcee and a musician, and in comedy.

Mr. HUBERT. How long have you known Jack Ruby?

Mr. PRYOR. Since about 1950, sir.

Mr. HUBERT. And you met him in connection with his operation of nightclubs?

Mr. PRYOR. Yes, sir.

Mr. HUBERT. At that time you were in the entertainment business?

Mr. PRYOR. Yes, sir.

Mr. HUBERT. Now, I handed you when you first came into the room a document consisting of two pages, which I mark for identification as follows, in the right-hand margin: "Dallas, Tex., June 26, 1964. Exhibit No. 1, Deposition of Roy Pryor" and I have signed my name under it, and on the second page I have placed my initials in the lower right-hand corner. This document purports to be a report of an interview of you by FBI Agents Wilkinson and Hardin on December 9, 1963.

Now, have you read this document which I have marked as Exhibit No. 1?

Mr. PRYOR. Yes, sir.

Mr. HUBERT. Do you find that it correctly states your recollection of the interview that was had of you by Agents Wilkison and Hardin?

Mr. PRYOR. Yes, sir.

Mr. HUBERT. And there are no errors in it, I take it?

Mr. PRYOR. No, sir—I mean, the exact dates may vary to some degree. I don't recall exactly the basis of the entire thing is correct.

Mr. HUBERT. Do you know whether it has been customary for Mr. Ruby to come up to the composing room of the Dallas Times Herald frequently to consult in regard to his ads?

Mr. PRYOR. Yes, sir.

Mr. HUBERT. I take it that he's one of the few customers who does do so?

Mr. PRYOR. Yes, sir. Jack—when I knew him—now, his condition evidently has changed considerably due to the information that I get from the newspapers, has always been an impulsive sort of a person and it was the idea of being able to present his ad personally, and he liked to associate with people. So, consequently I feel that that was possibly the reason that he would come up to the composing room, and he is one of the very few that I can name that has ever

come up there, but he was fairly consistent in his coming to the composing room. Now, what he talked about—he would carry on his conversation with the foreman or the person in charge at that time.

Mr. HUBERT. Would you say he came down there once a week or more often or less often?

Mr. PRYOR. Now, I didn't see him that often, but I am under the impression that he was there possibly two or three times a week—I don't know.

Mr. HUBERT. What shift do you work at the newspaper there?

Mr. PRYOR. In the evening, sir, from 7:30 until 3. At the time, though—

Mr. HUBERT. At what time—you mean in November 1963?

Mr. PRYOR. Yes, sir; in November of 1963, the shift, the evening shift started at 6:30 and got off at 2.

Mr. HUBERT. Wasn't there one shift that began or some employees who began work at midnight and worked until 7:30?

Mr. PRYOR. Yes, sir.

Mr. HUBERT. Were you on that shift?

Mr. PRYOR. Art Watherwax, now, he is the lobster—that is the name of the shift—the lobster shift is the midnight shift, and ours, or the one that I worked and still do is the evening shift, and like I say, at that time the shift started at 6:30 and ended at 2 for a normal 7-hour shift. Now, it's from 7:30 until 3. As in the statement, though, to the FBI, I had worked overtime that particular evening.

Mr. HUBERT. Now, let's get to that. I think you state in your statement to the FBI, Exhibit No. 1, that you saw Ruby in the composing room of the Times-Herald on the morning of the 23d at about 4 o'clock?

Mr. PRYOR. Yes, sir.

Mr. HUBERT. Now, that would have been Saturday morning?

Mr. PRYOR. Yes, sir.

Mr. HUBERT. The day after President Kennedy was shot?

Mr. PRYOR. Yes, sir.

Mr. HUBERT. Can you tell us what was the last occasion prior to this time on the 23d that you saw Ruby?

Mr. PRYOR. Yes; now—once again—I can't recall the exact date. It was either a Tuesday or a Wednesday.

Mr. HUBERT. Of that week?

Mr. PRYOR. Yes; of the week before.

Mr. HUBERT. Of the same week?

Mr. PRYOR. Of the week that President Kennedy was assassinated.

Mr. HUBERT. In other words, it was either 2 days before or 3 days?

Mr. PRYOR. Yes, sir; I don't recall now exactly. The place that I saw him, though, was in the reception room at radio station KLIF, and at that time I was doing some promotional advertising for the station.

Mr. HUBERT. What time of the day or night was it?

Mr. PRYOR. As best I can remember, it was about 2 o'clock in the afternoon.

Mr. HUBERT. Who did you see him with?

Mr. PRYOR. A little fellow—now, he introduced me, but I forgot his name, but it wasn't Oswald.

Mr. HUBERT. You didn't know Oswald, of course, did you?

Mr. PRYOR. No, sir.

Mr. HUBERT. So when you say it wasn't Oswald, you mean that you are identifying him and are making that statement from pictures of him you have seen?

Mr. PRYOR. Yes, sir.

Mr. HUBERT. But he was someone connected with the station, is that it?

Mr. PRYOR. No; I don't know what connection there was between him and Jack.

Mr. HUBERT. He was with Ruby?

Mr. PRYOR. Yes, sir.

Mr. HUBERT. Did he introduce you to the man?

Mr. PRYOR. Yes, sir.

Mr. HUBERT. Does the name "Larry" ring a bell with you?

Mr. PRYOR. I couldn't tell you, sir.

Mr. HUBERT. Lavern Crafard?

Mr. PRYOR. No; I can vaguely identify him—it seemed like he had brown wavy hair, and he was shorter than I am and he would be about 5'7", I'd say.

Mr. HUBERT. And what age about?

Mr. PRYOR. In his early thirties I would say.

Mr. HUBERT. How was he dressed?

Mr. PRYOR. To the best of my recollection he was in a business suit.

Mr. HUBERT. How do you know that they were together?

Mr. PRYOR. Jack introduced me and we talked in the lobby of radio station KLIF and then we walked down and stood in front of the station.

Mr. HUBERT. You mean—outside?

Mr. PRYOR. Yes, sir.

Mr. HUBERT. On the street?

Mr. PRYOR. Or on the sidewalk, and Lorie—he's the station manager for KLIF—Al Lorie.

Mr. HUBERT. How do you spell that?

Mr. PRYOR. Al [spelling] L-o-r-i-e, I believe it is. I had been in talking with Al and Jack Ruby was sitting in the copyreader's office—I know those guys but I can't recall their names—he was in the office of the man that takes care of the copy.

Mr. HUBERT. Had he finished his business at the time you met him?

Mr. PRYOR. When I walked in to see Mr. Lorie, the door was open into Bob's office and Jack was sitting there and I just waved at him and went on in to see Al, and so when I came out Jack was sitting there.

Mr. HUBERT. He was still sitting at the same place?

Mr. PRYOR. No; he came out.

Mr. HUBERT. So, apparently while you were conducting your business, he was conducting his?

Mr. PRYOR. Yes, sir.

Mr. HUBERT. And you both left together?

Mr. PRYOR. Yes, sir.

Mr. HUBERT. Do you know who he saw then? There?

Mr. PRYOR. The copywriter he was talking to—his name is Bob Clayton.

Mr. HUBERT. Bob Clayton?

Mr. PRYOR. Right; I should have remembered it, but I'm one of the worst on names.

Mr. HUBERT. And you left him on the street?

Mr. PRYOR. Yes.

Mr. HUBERT. And the next time you saw him was on the morning of the 23d?

Mr. PRYOR. Yes.

Mr. HUBERT. Now, normally your shift would have been over at 2 o'clock?

Mr. PRYOR. At 2 o'clock; yes, sir.

Mr. HUBERT. You state in your interview with the FBI, Exhibit No. 1, that you saw him at about 4 o'clock?

Mr. PRYOR. Yes, sir.

Mr. HUBERT. Can you tell us how you fix that time?

Mr. PRYOR. Well, I had 2 hours overtime, sir.

Mr. HUBERT. You mean that you worked 2 hours overtime that day?

Mr. PRYOR. Yes.

Mr. HUBERT. And you were about to leave?

Mr. PRYOR. I had already signed my work ticket and was preparing to leave the place.

Mr. HUBERT. So it is that fact which enables you to fix the time that you saw Ruby at 4 o'clock?

Mr. PRYOR. Yes, sir.

Mr. HUBERT. Was he just coming in then?

Mr. PRYOR. Yes.

Mr. HUBERT. And it was precisely 2 hours after your regular time had finished?

Mr. PRYOR. Yes, sir.

Mr. HUBERT. So there can be no doubt about it being 4 o'clock?

Mr. PRYOR. No, sir.

Mr. HUBERT. How long did he stay?

Mr. PRYOR. That—I don't know, sir, because I left after talking with him for approximately 15 minutes.

Mr. HUBERT. Did he speak to you first or who else did he speak to?

Mr. PRYOR. Yes; I was the only one, I presume, that he knew that was at the chapel board, which is in the front of the chapel board, and he just stopped me.

Mr. HUBERT. Did he talk to you about business?

Mr. PRYOR. No, sir—just—he was excited and just his usual self. I mean, whenever something out of the ordinary happened, he would become excitable.

Mr. HUBERT. Have you noticed that through the years that you have known him?

Mr. PRYOR. Yes, sir.

Mr. HUBERT. Could you give us some of the physical manifestations which indicated to you that he was excited?

Mr. PRYOR. One is that he had a newspaper with him, a Times-Herald paper. It was the evening of Friday—the paper, and stated that he had gotten the scoop on his competitors. There were two things that he brought out, and the primary thing, I believe, that he stressed, was the fact that in memorium to President Kennedy, that he had had them change his ad real quick; that his two clubs, the Carousel Club down on Commerce Street and the Vegas Club, which was out on Maple or Oaklawn, he had closed those two for Friday, Saturday, and Sunday.

Mr. HUBERT. In other words, he had gotten that announcement into the Friday edition of the Times-Herald, whereas, his competitors had not done so?

Mr. PRYOR. Yes, sir.

Mr. HUBERT. So that they were running ads as it were announcing their shows?

Mr. PRYOR. Their shows; yes.

Mr. HUBERT. And his announcement announced the closing because of the death of President Kennedy?

Mr. PRYOR. Yes, sir.

Mr. HUBERT. Did he speak of any other thing then?

Mr. PRYOR. Yes, sir; I mean—like I say—the fact that it was in memorium, a memorial to President Kennedy, was primary, but secondary then was the fact that he had scooped his competitors, and that was the word that he used “scooped.”

Mr. HUBERT. In the sense that he had taken this action and gotten his ad before anybody else had done so?

Mr. PRYOR. Yes, sir; he felt that that was something that everybody should have done.

Mr. HUBERT. He seemed to take some personal gratification in it?

Mr. PRYOR. Yes, sir.

Mr. HUBERT. Did he mention having seen Oswald that night, in the course of that night?

Mr. PRYOR. Yes, sir.

Mr. HUBERT. What did he say about that?

Mr. PRYOR. How he was allowed into the pressroom, we didn't go into, but that he by knowing the newspapermen and the officers, police officers, he was allowed to go in where the lineup was. I presume that's where it was.

Mr. HUBERT. Did he say that to you?

Mr. PRYOR. Yes, sir.

Mr. HUBERT. In other words, he said to you that it was because of his acquaintance and association with the police officers and the news people that he did get into this room?

Mr. PRYOR. Yes.

Mr. HUBERT. Did he indicate to you that he was rather swept along and forced into this room or that he got there because he wanted to be there and used his associations as a means of getting there?

Mr. PRYOR. It reverts back, I believe, to the fact that Jack was real impulsive and he happened to be there and they happened to be going in and that seemed like the thing to do. I mean—knowing Jack, if there was any kind of excitement or activity and he had a tendency to big shot.

Mr. HUBERT. To play up to big shots, you mean?

Mr. PRYOR. Well—to——

Mr. HUBERT. To pretend to be a big shot or to try to be a big shot?

Mr. PRYOR. Yes, sir.

Mr. HUBERT. Did he say why he was in the police station at all?

Mr. PRYOR. It seems like that he had bought some sandwiches and coffee for the officers; I believe that was it.

Mr. HUBERT. Is that what he told you?

Mr. PRYOR. Yes, sir; that he had bought some sandwiches and coffee, and now, who they went to, I don't know, but that was what he said.

Mr. HUBERT. This you know from your own knowledge—from him?

Mr. PRYOR. Yes, sir.

Mr. HUBERT. You haven't read this in the paper?

Mr. PRYOR. No, sir.

Mr. HUBERT. What did he say concerning Oswald?

Mr. PRYOR. Well, that he was allowed to enter the room where Oswald was and that he did get close enough to touch him, and the one thing that I didn't think of it at the time—but due to the chain of events that took place, the one thing that he said, was, "He's a little weasel of a guy." I mean—that's his exact words that Jack used.

Mr. HUBERT. When he said that, did he have any particular type of expression or emotion?

Mr. PRYOR. Well——

Mr. HUBERT. That is to say, did his voice carry some suggestion of hatred or revulsion?

Mr. PRYOR. Yes, sir; to that degree, although I don't for the life of me believe that Jack had any premeditation of murdering Oswald. I mean—you have to——

Mr. HUBERT. You're talking about the time that you are speaking of, that is to say, on the morning of November 23?

Mr. PRYOR. Yes, sir.

Mr. HUBERT. Did he mention to you that he had made any comment himself in the course of that meeting?

Mr. PRYOR. Only later on—he had mentioned to the District Attorney Henry Wade, who was talking on the telephone to someone, and Mr. Wade had made a statement that Oswald was associated with a Cuban organization and that the organization that he had mentioned was anti-Castro and Jack corrected him and told him it was the organization that was pro-Castro.

Mr. HUBERT. Jack told that to you?

Mr. PRYOR. Yes, sir; and that Mr. Wade seemed to be appreciative of that fact, and that he said—Jack's words were, "You see, I'm in good with the district attorney" or something to that effect. I mean, he was trying to impress me with the fact that he was acquainted with Henry Wade.

Mr. HUBERT. And that he had been able to correct him?

Mr. PRYOR. Yes, sir; I mean—to know Jack is to realize why he would say things like that.

Mr. HUBERT. Apparently, in correcting Mr. Wade, he pointed out to Mr. Wade that Oswald's committee or group or something was not anti-Castro but pro-Castro, is that so?

Mr. PRYOR. Yes, sir; I believe that was it.

Mr. HUBERT. Did he indicate in any way how he knew what Oswald's political feelings with respect to the Cuban problem were?

Mr. PRYOR. Well, I think that he had gathered that through the news media, either newspaper, television, radio or—not that he was associated or connected in any way, but I do feel that that was it.

Mr. HUBERT. What I'm trying to get at is this: That Ruby apparently in correcting Mr. Wade, associated Oswald with the pro-Castro group rather than with the anti-Castro group, as Mr. Wade had apparently mistakenly done?

Mr. PRYOR. Yes, sir.

Mr. HUBERT. Was it merely that he was correcting the terminology of Mr. Wade or did you gather that he himself had some knowledge of Oswald's political feelings?

Mr. PRYOR. No; my own personal opinion is that Jack was correcting Mr. Wade through what he had read or heard.

Mr. HUBERT. In other words, Mr. Wade had used the wrong label for the organization that Wade was talking about and that Jack corrected him and said that that organization is called another thing?

Mr. PRYOR. Yes, sir; and that was as far as I could determine, that's the only thing that Jack meant, which was common knowledge then through the news media.

Mr. HUBERT. Was there anything that he said to you on that night or at any time for that matter, that indicated that he knew of Oswald's political feelings and thoughts?

Mr. PRYOR. No, sir; outside of possibly what he had learned through the police or through other news media, you know.

Mr. HUBERT. Did you gather from his remark that it was Ruby's opinion that Oswald was a pro-Castro individual rather than either a neutral or an anti-Castro individual?

Mr. PRYOR. Well, just from the comment that he had made in relation to the correction of Mr. Wade, that would be the only time.

Mr. HUBERT. I think you said that Mr. Wade had simply used the wrong label for the pro-Castro group?

Mr. PRYOR. Yes, sir.

Mr. HUBERT. And he was simply correcting him as to labels, is that correct?

Mr. PRYOR. Yes, sir.

Mr. HUBERT. Were there any telephone calls made that night between Ruby and the composing room or you, that you know of?

Mr. PRYOR. No, sir; not that I know of.

Mr. HUBERT. Your only contact with him was in the 15 minutes you have talked about?

Mr. PRYOR. Yes, sir.

Mr. HUBERT. You and he were alone at that time during that 15 minutes?

Mr. PRYOR. No, sir; there were other people in the chapel, which is at the front of the composing room where you sign your ticket and you sign out.

Mr. HUBERT. Who were some of the people?

Mr. PRYOR. Let me see—I think there was a fellow by the name of Griffin. I believe he was the one that walked out with me, and he'll shoot me for this, but he had walked up—we had washed up in the back and had come up and I had made out my ticket and picked up my lunch bucket and was ready to leave when Jack came in off of the elevator and Mr. Griffin and I stopped and so then he went on down, and I couldn't recall whether he even spoke to Jack. Possibly he didn't even know Jack Ruby.

Mr. HUBERT. Did you introduce him?

Mr. PRYOR. Not that I recall.

Mr. HUBERT. What is Mr. Griffin's name—first name?

Mr. PRYOR. I don't know—just Griffin is all I know him by.

Mr. HUBERT. Does he still work there?

Mr. PRYOR. Yes, sir.

Mr. HUBERT. Why did you say he'll hate you for this?

Mr. PRYOR. Because you'll probably contact him and it's—

Mr. HUBERT. Well, you tell us that he did not speak to Ruby at all, is that correct?

Mr. PRYOR. That—I couldn't tell you, sir. The man to my knowledge doesn't know Jack or didn't know Jack.

Mr. HUBERT. Well, in any case, as you met Jack with this man Griffin, you stayed behind and talked to Jack for about 15 minutes and Griffin went on?

Mr. PRYOR. Yes.

Mr. HUBERT. Did Griffin wait for you downstairs?

Mr. PRYOR. No, sir; he went on.

Mr. HUBERT. Well, in any case, the contact between Ruby and Griffin must have been a matter of seconds, is that correct?

Mr. PRYOR. Yes, sir—if there was—which I don't recall at all.

Mr. HUBERT. Was there any indication that they knew each other?

Mr. PRYOR. No, sir.

Mr. HUBERT. Are you familiar with the famous Weissman ad that appeared in the Dallas Morning News the day the President came to town—a full page ad?

Mr. PRYOR. I'm familiar with the ad, but I couldn't tell you any of the contents, because we had it up on our bulletin board.

Mr. HUBERT. What I want to ask you simply is this: Whether or not Jack Ruby mentioned to you anything concerning that ad during the 15 minutes you spoke to him about 4 o'clock on November 23?

Mr. PRYOR. No, sir; not that I remember.

Mr. HUBERT. Did he mention the Birch Society?

Mr. PRYOR. No, sir.

Mr. HUBERT. Are you familiar with what the Birch Society is?

Mr. PRYOR. I've heard the name. I couldn't tell you one thing about their organization.

Mr. HUBERT. You did not speak with Jack Ruby about it nor he with you?

Mr. PRYOR. No, sir.

Mr. HUBERT. Did Ruby seem to link Oswald with any group such as the Weissman ad or the John Birch Society?

Mr. PRYOR. No, sir—I mean—to my recollection there was never any mention of those.

Mr. HUBERT. Did he tell you that he had been to station KLIF and brought sandwiches there too?

Mr. PRYOR. No, sir; not that evening.

Mr. HUBERT. Did he mention to you that he had secured a telephonic interview of Henry Wade for Glenn Duncan of station KLIF?

Mr. PRYOR. No, sir.

Mr. HUBERT. What was his general attitude towards the assassination of President Kennedy?

Mr. PRYOR. He was real concerned. Now, this—I remember—he was very much concerned with the fact that, I believe his words were, "Poor Mrs. Kennedy—Jackie and the kids"—the fact that they had lost a husband and father and it was definitely—he was emotional about that.

Mr. HUBERT. Did he comment upon what effect or did you have any conversation with him about what effect the assassination might have on business in general in Dallas and in particular, the convention business, upon which his own business depended so heavily?

Mr. PRYOR. No, sir.

Mr. HUBERT. Did he seem concerned about how this event might affect his livelihood?

Mr. PRYOR. Not that I recall, sir.

Mr. HUBERT. Now, you say that he did seem concerned about the matter from the standpoint of President Kennedy's wife and children, was there any other basis of concern that you could discern from his conversation with you?

Mr. PRYOR. No. I'm—I'm trying to think as to what all took place within the length of time that I talked with him, and he was basically, emotionally upset over the thing.

Mr. HUBERT. What physical manifestation did he give of being emotionally upset?

Mr. PRYOR. Shaking the newspaper—I guess is about it.

Mr. HUBERT. Did he seem to be angry or talk in a different way or look in a different way or act in any different way than normal?

Mr. PRYOR. Not with any great degree that I could tell.

Mr. HUBERT. Did he seem to be excessively sorrowful about this?

Mr. PRYOR. Yes—like I say—he did seem real concerned over the fact that the President had been killed, and I think all of us at that time, as well as now—it was—there was a sorrow, and Jack being the emotional type of person that he was, was possibly a little more demonstrative of it. In other words, he would demonstrate and express his emotions more than the average person, I feel.

Mr. HUBERT. In other words, your thought is then that his expression of sorrow and so forth and his reaction was somewhat more than the average, at least, as manifested?

Mr. PRYOR. Yes, sir.

Mr. HUBERT. Did he comment or associate in any way the question of the Jewish race or faith in the assassination?

Mr. PRYOR. No, sir.

Mr. HUBERT. Did he indicate in any way to you that he thought that because of the Weissman ad or for any other reason the people of the Jewish race and faith might be blamed for the assassination, directly or indirectly?

Mr. PRYOR. No, sir.

Mr. HUBERT. There was no conversation about Judaism or Jews at all?

Mr. PRYOR. No, sir.

Mr. HUBERT. Were you present when he took out the twistboard and demonstrated it?

Mr. PRYOR. No, sir.

Mr. HUBERT. Did he have it with him when you saw him?

Mr. PRYOR. No, sir; I don't believe he did. All he had was the newspaper.

Mr. HUBERT. In any case, when you left, he was still there?

Mr. PRYOR. Yes, sir.

Mr. HUBERT. And you don't know how long he stayed?

Mr. PRYOR. No, sir.

Mr. HUBERT. How did you part with him, what was the general point of departure, how did you leave things with him?

Mr. PRYOR. "I've got to get home, and I'll see you around, Jack" or something to that effect.

Mr. HUBERT. Did you see him again thereafter?

Mr. PRYOR. No, sir; until the time that I testified at his trial, outside of seeing him on television.

Mr. HUBERT. You didn't have any contact with him by telephone after then?

Mr. PRYOR. No, sir.

Mr. HUBERT. I think at one time you and he had had a little fisticuffs, hadn't you?

Mr. PRYOR. Yes, sir.

Mr. HUBERT. I suppose any feelings about that had long since passed away?

Mr. PRYOR. About 5 minutes after we had our misunderstanding, it was all over. In fact, there was a grocery store down on the corner, and not that I am or have in the past ever been a fighter or anything, but we had had our set-to and I blacked his eye, and so then he went over there and there was a washstand in the back of the Spur there, and he was washing his face and I walked over to him and told him, I said, "Jack, I'm sorry I'm fighting in your place here and working for you like this, but don't never call me a name like that because I just don't appreciate it", and so he turned around and pop! He hit me right in the eye, you see, and boy! The sparks just flew!

Mr. HUBERT. And you got to fighting again?

Mr. PRYOR. No; that was all, and so both of us had a big ole' shiner, and of course, the guys in the band were up on the bandstand and were looking through the curtain. They heard the commotion and they were just rolling.

Mr. HUBERT. And you were friendly thereafter?

Mr. PRYOR. Yes, sir.

Mr. HUBERT. That was some 13 or 14 years ago, was it?

Mr. PRYOR. Yes; he goes down and buys two great big steaks and both of us are walking around with these steaks on our eyes. I mean—that's the type of person, though, that Jack was.

Mr. HUBERT. He bought a steak for his own eye that you had given him and one for your eye that he had given you?

Mr. PRYOR. Yes; and that is the emotional type of person that Jack—and there has been numerous instances where I have seen him get real excited over some incidental little thing and 2 minutes after whatever created the excitement, he was back running around.

Mr. HUBERT. Tell us his attitude toward the girls in his club? Did he take any personal interest in them or was it strictly professional?

Mr. PRYOR. Well, now, on his personal life I couldn't tell you. I mean—I never associated with him to that extent, but I do know that he treated all of the girls that worked for him, as far as I knew, with fairness and also went out of his way to help them.

Mr. HUBERT. Did he allow them to make dates out of the club that you know of?

Mr. PRYOR. Not that I know of, sir.

Mr. HUBERT. Did he prohibit it?

Mr. PRYOR. Once again, I couldn't say. That would come under his business.

Mr. HUBERT. Well, I'm asking you because you actually worked there for a considerable period of time, and I wondered what you yourself observed about it?

Mr. PRYOR. I do know that the girls would go with fellows, but it seemed that they were their steadies and dates, you know.

Mr. HUBERT. Did you know of any regulation or rule of the house, as it were, that no girl could date a man from the club?

Mr. PRYOR. No, sir; I wasn't aware of that, if it did exist.

Mr. HUBERT. Do you know what his attitude toward the opposite sex was generally?

Mr. PRYOR. He was impressed with them—I'll say that. Whether he was—well, I don't know how to put it, but anyhow—he was engaged, I know, at one time, and I know at the time I started working for him he was engaged to a girl and why they didn't get married, I don't know, but he had gone with her.

Mr. HUBERT. Did you ever observe any traits which you might classify as homosexual in Jack Ruby?

Mr. PRYOR. No, sir; now, he was a peculiar duck, and he's not the type of person that—well, I consider myself a normal individual to a degree, but he was a little rational——

Mr. HUBERT. He was a little "rational" or "irrational"? I didn't catch the word?

Mr. PRYOR. Well, let's see how do I want to put it? Would it be rational?

Mr. HUBERT. Well, I don't know. Apparently you have some doubt in your mind as to the meaning of the word, and perhaps you had better use another word. What did you have in mind? Perhaps you could use another word to describe it? You said he was a peculiar duck and I gather from that that he was a little different from other people?

Mr. PRYOR. Well, maybe it was because he was in that particular type of business that he acted a little different towards women than guys in the band, because musicians are notorious for their——

Mr. HUBERT. Interest in the girls at the club, is that what you mean?

Mr. PRYOR. Yes, sir. I'm glad you phrased it that way.

Mr. HUBERT. And he was a little different from that?

Mr. PRYOR. Well, like I say now—due to the fact that he was closer associated with a number of girls that he acted that way or why it was—I couldn't tell you, but when you mentioned—did he have any homosexual tendencies—he had never made any advances to me or to anyone that I knew of.

Mr. HUBERT. You never observed anything that would indicate any such thing as that at all?

Mr. PRYOR. No, sir.

Mr. HUBERT. Actually, you have not been an employee there for quite a number of years; isn't that right?

Mr. PRYOR. Yes, sir.

Mr. HUBERT. How many exactly—about 8 or 10, I take it?

Mr. PRYOR. Yes, sir.

Mr. HUBERT. But your friendship with him had continued throughout the years?

Mr. PRYOR. Yes, sir; he had always treated me good. I mean—as far as a friend, you know.

Mr. HUBERT. I know, but I mean after you left his employ as a musician or an artist or entertainer, which I gather was around 1954 or something like that?

Mr. PRYOR. Yes, sir.

Mr. HUBERT. How did you continue to contact him, was it just social?

Mr. PRYOR. Yes, sir; I had gone down to the Carousel Club.

Mr. HUBERT. As a customer?

Mr. PRYOR. As a guest, because as a customer, I would pay, but as a guest—whenever I came up, which was very rare, but at different times I had gone up to his club just to catch the floor show and to observe primarily the MC's and listen to their routines. That was the type of work that I had done.

Mr. HUBERT. In other words, during the 10 years after you stopped working for him, your connection and your contact with Ruby was on that sort of basis, irregular meetings now and then?

Mr. PRYOR. Yes, sir; I believe it was in 1960 on Christmas Day, he came out to our house and he brought, I believe he had two dogs, dachshunds, that he was quite fond of, and he came out and ate Christmas dinner, although we had already finished dinner, he came out late, and my wife fixed him a plate and he had turkey and all the trimmings, and he stayed, oh, possibly 45 minutes and seemed to enjoy it, and his dogs—we had a lot of yard and his dogs got out and run and it just seemed to be relaxation for him, and we enjoyed having him, just as a friend like that.

Mr. HUBERT. Is there anything else you want to say, Mr. Pryor?

Mr. PRYOR. No, sir; not that I know of.

Mr. HUBERT. All right, then let me ask you this by way of closing. Of course, neither you nor I met before I saw you tonight?

Mr. PRYOR. No, sir.

Mr. HUBERT. And there was no conversation between us except to introduce ourselves. Otherwise, everything that has passed between us has been recorded by this lady as far as you know, is that correct?

Mr. PRYOR. Yes, sir.

Mr. HUBERT. All right, sir, thank you very much. I appreciate your coming down and taking your evening hours with this.

Mr. PRYOR. Well, I don't know whether I was any help to you or not, but I appreciate it. For the life of me, I couldn't bring myself to believe that Jack could do something like that, and I still don't believe that he had any premeditated thought about it, that is, a circumstance that allowed this thing to happen and it was just one of those things that's stranger to me than any fiction writer could possibly write.

Mr. HUBERT. Thank you very much. I am certainly glad you came down.

Mr. PRYOR. All right, fine.

TESTIMONY OF ARTHUR WILLIAM WATHERWAX

The testimony of Arthur William Watherwax was taken at 6:55 p.m., on June 26, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Leon D. Hubert, Jr., assistant counsel of the President's Commission.

Mr. HUBERT. This is the deposition of Arthur W. Watherwax.

Mr. Watherwax, my name is Leon D. Hubert. I am a member of the advisory staff of the general counsel on the President's Commission. Under the provisions of Executive Order 11130, dated November 29, 1963, and the joint resolution of Congress No. 137 and the rules of procedure adopted by the President's Commission in conformance with the Executive order and the joint resolution I have been authorized to take a sworn deposition from you. I state to you now that the general nature of the Commission's inquiry is to ascertain, evaluate and report upon the facts relative to the assassination of President Kennedy and the subsequent violent death of Lee Harvey Oswald. In particular, as to you, Mr. Watherwax, the nature of the inquiry today is to determine what facts you know about the death of Oswald and any other pertinent facts you may know about the general inquiry, and about Jack Ruby and his operations and his movements when you saw him and so forth.

I think you appeared here today by virtue of a letter written to you by Mr. J. Lee Rankin, general counsel of the staff of the President's Commission. Under the rules adopted by the Commission, you are entitled to a 3-day written notice prior to the taking of this deposition, but such rules adopted by the Commission also provide that a witness may waive this 3-day notice if he so wishes, and I think that letter addressed to you is dated June 22. When did you get it?

Mr. WATHERWAX. June 23.

Mr. HUBERT. Today is the 26th. Now, probably you have had the 3-day written notice, but in any case, if it should be short by 1 day, since the rules do provide that you can waive it, you said you are willing to waive that notice?

Mr. WATHERWAX. Yes.

Mr. HUBERT. Then, will you stand and raise your right hand so I may administer the oath.

Do you solemnly swear that the testimony you are about to give in this matter will be the truth, the whole truth, and nothing but the truth; so help you God?

Mr. WATHERWAX. I do.

Mr. HUBERT. Will you state your full name for the record, please?

Mr. WATHERWAX. Arthur William Watherwax.

Mr. HUBERT. Where do you live, sir?

Mr. WATHERWAX. At 9302 Piper Lane.

Mr. HUBERT. In Dallas?

Mr. WATHERWAX. In Dallas.

Mr. HUBERT. How old are you, sir?

Mr. WATHERWAX. Forty-two.

Mr. HUBERT. Are you married?

Mr. WATHERWAX. Yes.

Mr. HUBERT. What is your employment?

Mr. WATHERWAX. A printer.

Mr. HUBERT. With what organization?

Mr. WATHERWAX. The Dallas Times Herald.

Mr. HUBERT. How long have you been so employed?

Mr. WATHERWAX. About 10 years.

Mr. HUBERT. Where were you employed before that?

Mr. WATHERWAX. At the Horton Bros. in Dallas, as a printer.

Mr. HUBERT. You've been in printing all your life, I take it?

Mr. WATHERWAX. Yes; that's my trade.

Mr. HUBERT. Are you a native of Dallas?

Mr. WATHERWAX. No.

Mr. HUBERT. How long have you lived in Dallas?

Mr. WATHERWAX. About 10 years.

Mr. HUBERT. Do you know a man by the name of Jack Ruby?

Mr. WATHERWAX. Yes.

Mr. HUBERT. How long have you known him?

Mr. WATHERWAX. I guess—maybe several years.

Mr. HUBERT. In what way did you come to know him?

Mr. WATHERWAX. His coming up to the composing room with his ads.

Mr. HUBERT. Did you know him in any other way?

Mr. WATHERWAX. No.

Mr. HUBERT. You didn't know him socially?

Mr. WATHERWAX. No.

Mr. HUBERT. Or as a friend?

Mr. WATHERWAX. No.

Mr. HUBERT. You are in the composing room of the Dallas Times Herald?

Mr. WATHERWAX. That's right.

Mr. HUBERT. I understand that it's customary for the customers who run ads to consult with you as to the format?

Mr. WATHERWAX. No; he's the only customer I have ever seen up there.

Mr. HUBERT. But he did come and it was his custom to come up?

Mr. WATHERWAX. That's right.

Mr. HUBERT. It was his custom to come and talk to you or others about the composition of his ad?

Mr. WATHERWAX. He usually talked to the foreman but he usually mingled with the men.

Mr. HUBERT. Who was the foreman?

Mr. WATHERWAX. Clyde Gaydosch was the foreman for that shift.

Mr. HUBERT. What shift are you talking about?

Mr. WATHERWAX. The 12 o'clock at night until 7:30 in the morning.

Mr. HUBERT. Was that when he usually consulted with you?

Mr. WATHERWAX. Yes; he usually came up there, after his club was closed usually around 3 or 4 o'clock in the morning.

Mr. HUBERT. He would consult with you about the ad which appeared in the evening edition?

Mr. WATHERWAX. Yes; the following day.

Mr. HUBERT. When did it go to press?

Mr. WATHERWAX. It would go to press about 9 o'clock in the morning.

Mr. HUBERT. What's the deadline?

Mr. WATHERWAX. I think it would be out on the streets about 11 o'clock.

Mr. HUBERT. No; I mean what's the deadline for changing the ad and so forth?

Mr. WATHERWAX. Well, I think some time at night, but he kept wandering in and his ad was so small.

Mr. HUBERT. Did you get to see him quite often?

Mr. WATHERWAX. Quite a bit.

Mr. HUBERT. Do you remember having seen him on the morning after the President was shot, that is to say, on the early morning of November 23?

Mr. WATHERWAX. Saturday morning?

Mr. HUBERT. Saturday morning; that is correct?

Mr. WATHERWAX. Yes; he was up there.

Mr. HUBERT. Were you on duty as usual?

Mr. WATHERWAX. Yes.

Mr. HUBERT. That was your 12 to 7:30 shift?

Mr. WATHERWAX. Yes.

Mr. HUBERT. Had you seen him before on that day, that is to say, on the 23d?

Mr. WATHERWAX. No.

Mr. HUBERT. Had you seen him on the 22d at all?

Mr. WATHERWAX. No; not that I recall.

Mr. HUBERT. When was the last time prior to that that you had seen him that you recall?

Mr. WATHERWAX. I don't even recall, and I may have seen him and I may not have even taken note of him.

Mr. HUBERT. Do you have a distinct recollection of having seen him on the night or the morning after the President was shot?

Mr. WATHERWAX. Oh, yes; I remember that.

Mr. HUBERT. What was he there for?

Mr. WATHERWAX. To change his ad. He changed it to "The Carousel Club will be closed for Saturday, Sunday, and Monday," I think.

Mr. HUBERT. In other words, the ad had been placed or was it a continuously running ad?

Mr. WATHERWAX. Yes; continuously—more or less.

Mr. HUBERT. Did he come in person or did he telephone?

Mr. WATHERWAX. He came in person.

Mr. HUBERT. Did he telephone at all?

Mr. WATHERWAX. He frequently did, but he didn't that day.

Mr. HUBERT. How long did he stay with you?

Mr. WATHERWAX. He was up there, I would say, at least 30 minutes.

Mr. HUBERT. Talking with you or with others?

Mr. WATHERWAX. Well, it was with myself and others.

Mr. HUBERT. Who were some of the others?

Mr. WATHERWAX. Roy Pryor—he was an old friend of his, and the foreman, and myself.

Mr. HUBERT. And what was the foreman's name?

Mr. WATHERWAX. Clyde Gaydosch.

Mr. HUBERT. Is he still there?

Mr. WATHERWAX. Yes.

Mr. HUBERT. What time was it that Ruby first came, do you remember?

Mr. WATHERWAX. It was about 5 minutes after 4.

Mr. HUBERT. That's quite a time that you have named. Therefore, I would like you to state why you are able to fix it as closely as you do?

Mr. WATHERWAX. We eat lunch from 3:30 until 4, and right after lunch I usually go back to the restroom and wash my hands, and just as I was walking to the restroom, he came off of the elevator.

Mr. HUBERT. So you are able to pinpoint the time because it was at the very end of your lunch hour, which invariably, I take it, is from 3:30 to 4?

Mr. WATHERWAX. Yes.

Mr. HUBERT. Do you fix it as shortly thereafter, or about 5 minutes after?

Mr. WATHERWAX. Yes.

Mr. HUBERT. Where does the elevator come from?

Mr. WATHERWAX. The first floor—up.

Mr. HUBERT. It's open to the public?

Mr. WATHERWAX. Yes; but there are a couple of nightwatchmen down there that check them in.

Mr. HUBERT. You say he stayed about 30 minutes, which would make it somewhere after 4:30 when he left. Did he stay and talk with you all that while or with others, including you?

Mr. WATHERWAX. He started talking to me and I believe Roy Pryor came up and he talked to him also.

Mr. HUBERT. Now, the primary purpose of his visit, as I understand, was to change his ad, and he told you how to do it?

Mr. WATHERWAX. He discussed it with me, you know, he was always asking somebody's opinion on something.

Mr. HUBERT. He discussed it with you as to the composition, you mean?

Mr. WATHERWAX. As to whether it would be timely.

Mr. HUBERT. You mean whether it would be a proper thing to do?

Mr. WATHERWAX. Yes; appropriate—if I thought it would be a good idea.

Mr. HUBERT. In other words, he was seeking your advice as well as others as to whether it was a good idea to close the club, aside from consulting you as to the composition of the ad, once that decision was made?

Mr. WATHERWAX. Yes.

Mr. HUBERT. Did he seem to be in some doubt as to whether he would close the club?

Mr. WATHERWAX. He said he was going to try and get the other owners to join him and they would all close.

Mr. HUBERT. But in any case, the decision, as I understand, was ultimately made to close?

Mr. WATHERWAX. That's right.

Mr. HUBERT. And therefore the ad was changed?

Mr. WATHERWAX. Yes; that's right.

Mr. HUBERT. Did he make any comment about the assassination of the President?

Mr. WATHERWAX. Oh, yes; he was pretty shaken up about it. I guess everybody was.

Mr. HUBERT. But did he seem to be more shaken up than the average person?

Mr. WATHERWAX. No; I would say he was more excited about the interview that he had just left evidently. He had been up at the police station for an interview with Oswald and with Henry Wade.

Mr. HUBERT. He told you about that?

Mr. WATHERWAX. Oh, yes.

Mr. HUBERT. It is your impression now that he was more excited about the fact that he had been present at this interview than he was about anything else?

Mr. WATHERWAX. Yes.

Mr. HUBERT. Did he seem to be grieving, particularly?

Mr. WATHERWAX. No. He thought it was a terrible thing. He mentioned that he had corrected Wade on, I think Henry Wade made a mistake about those two Cuban organizations and Ruby straightened him out. One was called "Freedom for Fair Play for Cuba", and I forget the other one—what the name of it was.

Mr. HUBERT. He mentioned to you that Wade had made a mistake concerning those two organizations and that he had cleared it up?

Mr. WATHERWAX. Yes.

Mr. HUBERT. Did he say when and where he had cleared it up?

Mr. WATHERWAX. At the interview.

Mr. HUBERT. At what interview?

Mr. WATHERWAX. Evidently he spoke up and told him that he was wrong.

Mr. HUBERT. Did he mention anything about the Weissman ad that had appeared in the Dallas Morning News?

Mr. WATHERWAX. Yes.

Mr. HUBERT. Could you tell us about that, sir?

Mr. WATHERWAX. The best I recall, I think he said that it had been traced back to General Walker, and that it had been placed in there to make the Jews look bad.

Mr. HUBERT. In other words, his comment about the Weissman ad was that he knew or thought that it had been traced back to General Walker?

Mr. WATHERWAX. Yes.

Mr. HUBERT. And that the purpose was to make the Jews look bad?

Mr. WATHERWAX. Yes.

Mr. HUBERT. Did he elaborate on his expression of how the Jews would be involved or made to look involved in the matter?

Mr. WATHERWAX. No; except that he thought that that name Weissman was evidently Jewish, and that he thought it was a plan that would make the Jews look bad, that it would really reflect on the Jews.

Mr. HUBERT. From your general knowledge of him, was he sensitive to the fact that he was a Jew?

Mr. WATHERWAX. I had never noticed it.

Mr. HUBERT. Did he seem to be on this particular occasion?

Mr. WATHERWAX. Just in reference to that ad—I was sort of surprised when he mentioned it, because I didn't know that he felt like that.

Mr. HUBERT. Did he seem angry or mad or outraged about this ad?

Mr. WATHERWAX. No.

Mr. HUBERT. Just that he was concerned that the ad might associate the Jews with the ad?

Mr. WATHERWAX. That's right.

Mr. HUBERT. And that—he didn't like?

Mr. WATHERWAX. That's right.

Mr. HUBERT. Did he say whether he didn't like it because it would hurt his business, or did he say what was the reason why he didn't like it?

Mr. WATHERWAX. He didn't say.

Mr. HUBERT. Did he ever mention the John Birch Society?

Mr. WATHERWAX. Not that I know of.

Mr. HUBERT. Do you know what the John Birch Society is?

Mr. WATHERWAX. Yes.

Mr. HUBERT. But he didn't say anything about that that night?

Mr. WATHERWAX. He never discussed politics as far as I know—I didn't even know he was interested.

Mr. HUBERT. Did he make any comment about Oswald himself?

Mr. WATHERWAX. Yes; he said he had seen Oswald up there at the interview and he said he looked like a little weasel—he had a smirk on his face.

Mr. HUBERT. Did he say anything that indicated that he intended to take any action with respect to him?

Mr. WATHERWAX. No.

Mr. HUBERT. Did he make any comment about a fear that the assassination of President Kennedy might somehow be blamed on the Jews in America or elsewhere?

Mr. WATHERWAX. No.

Mr. HUBERT. The only reference he made to the Jews then, was in connection with the Weissman ad.

Mr. WATHERWAX (no response).

Mr. HUBERT. Did he indicate in any way that he thought that Oswald might be involved with some other group?

Mr. WATHERWAX. No; I don't think he did. I think he was worried about his business.

Mr. HUBERT. What makes you think that?

Mr. WATHERWAX. Well, primarily he was a businessman and he catered to tourists. That was his main source of income and I think everybody was sort of worried about business in Dallas after the assassination.

Mr. HUBERT. Is that your analysis of it or did he say anything that night to indicate that he was concerned about his business?

Mr. WATHERWAX. We discussed it—that. You see; I drive a cab part time. That's one reason why he's sort of cultivated my friendship because he was always after me to bring him customers, and we discussed how it would hurt Dallas for conventions more than anything else, because that was his main source of income and also for cabdrivers.

Mr. HUBERT. You drove a cab every day?

Mr. WATHERWAX. Oh, no; maybe for a weekend or maybe 2 or 3 days a month.

Mr. HUBERT. Did you drive a cab on the same day you would go to work?

Mr. WATHERWAX. No; it was always on my off days.

Mr. HUBERT. And it was at night?

Mr. WATHERWAX. Yes; night.

Mr. HUBERT. And did you sometimes bring people to his club?

Mr. WATHERWAX. Yes; but never by my own volition.

Mr. HUBERT. They asked you to do so?

Mr. WATHERWAX. Yes.

Mr. HUBERT. In other words, you didn't solicit for the club?

Mr. WATHERWAX. Oh, no; no.

Mr. HUBERT. When you did bring somebody there, did he compensate you in any way?

Mr. WATHERWAX. He offered to; if I would come upstairs, he would give me a half a dollar a person, but it wasn't worthwhile.

Mr. HUBERT. You never did collect any half dollars on that, did you?

Mr. WATHERWAX. No.

Mr. HUBERT. So that I gather from what you said that both of you discussed the possibilities that your cab business, such as it was, might be hurt if the tourists stayed away from Dallas and that his club business would be hurt?

Mr. WATHERWAX. Yes.

Mr. HUBERT. And he very definitely discussed that aspect of it with you?

Mr. WATHERWAX. Yes.

Mr. HUBERT. Did that seem to be of concern to him?

Mr. WATHERWAX. Yes; he was worried about it. Like I said, primarily he was a businessman. I have often thought that—they said that he mingled with police, he was a glad-hander but he was his own public-relations man and that was all part of the business with him.

Mr. HUBERT. Have you ever been to his club on a social basis?

Mr. WATHERWAX. Yes; I took my wife up there once.

Mr. HUBERT. Other than that?

Mr. WATHERWAX. That was the only time—once.

Mr. HUBERT. You say you've known him about 7 or 8 years?

Mr. WATHERWAX. No; just several years, I would say—maybe longer than that—4 or 5 years.

Mr. HUBERT. Did you know him prior to the time he organized and opened the Sovereign Club?

Mr. WATHERWAX. No; I didn't.

Mr. HUBERT. Did you know him when he owned the Vegas Club alone?

Mr. WATHERWAX. No.

Mr. HUBERT. It was only when he opened the Carousel?

Mr. WATHERWAX. Yes.

Mr. HUBERT. These ads that he ran were for both clubs or just one?

Mr. WATHERWAX. He ran two separate ads. Usually the Carousel was the main ad. The Vegas Club was just a little one—a continuous ad. I think his main interest was the Carousel.

Mr. HUBERT. When you say you went to his club, you mean the Carousel?

Mr. WATHERWAX. Yes; the Carousel.

Mr. HUBERT. You've never been to the Vegas?

Mr. WATHERWAX. No.

Mr. HUBERT. When he left at approximately 4:30 or shortly thereafter, did he make any kind of parting comment of significance?

Mr. WATHERWAX. No; he didn't. After he talked to me he was demonstrating a twistboard that he had brought up there.

Mr. HUBERT. Who was he demonstrating it to?

Mr. WATHERWAX. Well, to our proofreader who is a woman. He got her to try it. I think it was a reducing thing or an exercise thing.

Mr. HUBERT. It's sort of a thing that you put on the floor and stand on and twist around on?

Mr. WATHERWAX. Yes.

Mr. HUBERT. Was it a rather humorous performance?

Mr. WATHERWAX. Yes; everybody was laughing. You would twist, you would almost have to.

Mr. HUBERT. You said it was one of the female proofreaders who got on it, and was he laughing and joking about it as well?

Mr. WATHERWAX. Yes.

Mr. HUBERT. And then he went off, and have you seen him since?

Mr. WATHERWAX. No.

Mr. HUBERT. Did you have any communication with him during the rest of the 23d or the 24th?

Mr. WATHERWAX. No.

Mr. HUBERT. I think you mentioned that Roy Pryor was there that night too?

Mr. WATHERWAX. Roy Pryor; yes.

Mr. HUBERT. Did Ruby ever mention to you in the course of the years that you knew him—any friends that he had in the underworld—mobster group?

Mr. WATHERWAX. No.

Mr. HUBERT. Was he sort of a name dropper?

Mr. WATHERWAX. Yes.

Mr. HUBERT. Did he mention people that he thought were important that he had met?

Mr. WATHERWAX. I never noticed it.

Mr. HUBERT. Did he ever say anything to you to indicate what his relationship with the police was?

Mr. WATHERWAX. No.

Mr. HUBERT. Do you know from your own knowledge what his relationship with the police was?

Mr. WATHERWAX. No; I don't—no. The only time that I ever had anything like that, was sitting in my cab in front of the University Club, waiting for a passenger that was upstairs and a couple of conventioners came along and offered me a drink and asked me where all the action was and everything, and it was already closing hours. It was after closing hours and to get rid of them I sent them down to the Carousel. I knew that he was open until 3 o'clock in the morning or 2 o'clock, and I didn't know, but they were vice squad men, so Ruby got a big laugh out of it—here he says—"I ask you for customers here and you're sending me down vice squad men."

Mr. HUBERT. In other words, these people who appeared to be conventioners and drunks were in fact vice squad men and masquerading as such?

Mr. WATHERWAX. Yes.

Mr. HUBERT. You didn't drive them there but you just told them about it?

Mr. WATHERWAX. Yes.

Mr. HUBERT. Later you say Ruby laughed and joked with you about it?

Mr. WATHERWAX. Yes.

Mr. HUBERT. He wasn't angry about it?

Mr. WATHERWAX. No.

Mr. HUBERT. He apparently got into no trouble as a result of it?

Mr. WATHERWAX. I think they sort of considered him as a joke, I guess, more than anything else. I think everybody sort of—they didn't pay him much attention.

Mr. HUBERT. Why?

Mr. WATHERWAX. Well, evidently he didn't seem to have very much intelligence. He was just a pusher.

Mr. HUBERT. Is that your impression of him?

Mr. WATHERWAX. I wouldn't say—he wasn't educated.

Mr. HUBERT. Would you say that the relationship between you and Ruby was friendly?

Mr. WATHERWAX. Oh, yes.

Mr. HUBERT. Did you consider him to be an intelligent person?

Mr. WATHERWAX. Who—Ruby?

Mr. HUBERT. Yes?

Mr. WATHERWAX. No; I don't think so. Of course, I only knew him casually.

Mr. HUBERT. Did you observe anything about him which would throw light on his character in the sense of whether he had a hot temper or not?

Mr. WATHERWAX. Well, I have taken some of his strippers home in the cab, and the few that I had, said that he had a reputation of that.

Mr. HUBERT. He did not?

Mr. WATHERWAX. No; they said he would hire and fire and hire and fire, you know, so evidently he had a pretty quick temper.

Mr. HUBERT. And that you gathered from the strippers that you had occasion to have as fares?

Mr. WATHERWAX. Yes.

Mr. HUBERT. From the Carousel to their home?

Mr. WATHERWAX. Yes.

Mr. HUBERT. They expressed that view to you or talking among themselves?

Mr. WATHERWAX. To me—I only had them as singles. I didn't ride the group.

Mr. HUBERT. Did they indicate that he made any sexual advances toward them?

Mr. WATHERWAX. One of them told me that that was one of the reasons there was such a big turnover, that that was part of the job—that when they were hired, that was part of the job—almost understood to be part of the job.

Mr. HUBERT. You mean that they would have to have sexual intercourse with him?

Mr. WATHERWAX. Yes; that's what she said.

Mr. HUBERT. One woman told you that?

Mr. WATHERWAX. Yes; she said that if you didn't, he would fire you.

Mr. HUBERT. You don't know who that was, do you?

Mr. WATHERWAX. No; I don't.

Mr. HUBERT. How long ago was that?

Mr. WATHERWAX. Its been about a year and a half. I know I was sorta surprised because he never appeared to be that type to me.

Mr. HUBERT. Did he appear to be a normal type man sexually to you or did you ever notice any traits which you considered homosexual?

Mr. WATHERWAX. He just never talked about it.

Mr. HUBERT. You didn't consider that he was homosexual?

Mr. WATHERWAX. No.

Mr. HUBERT. I think that's all, sir. Now, Mr. Watherwax, have you anything further you wish to add that might throw any light on this?

Mr. WATHERWAX. That's about all I can say.

Mr. HUBERT. I don't think there has been any conversation between us except that which has been recorded here, because if there is, we are supposed to develop it, but as a matter of fact, except for introducing myself as you walked into the room, all of our conversation has been recorded?

Mr. WATHERWAX. Yes.

Mr. HUBERT. Thank you, sir, very much, and I appreciate your coming down.

Mr. WATHERWAX. You're welcome.

TESTIMONY OF BILLY A. REA

The testimony of Billy A. Rea was taken at 12:20 p.m., on June 26, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Leon D. Hubert, Jr., assistant counsel of the President's Commission.

Mr. HUBERT. This is the deposition of Billy A. Rea.

Mr. Rea, my name is Leon Hubert. I am a member of the advisory staff of the general counsel on the President's Commission on the Assassination of

President Kennedy. Under the provisions of Executive Order 11130 dated November 29, 1963, and the joint resolution of Congress No. 137, and the rules of procedure adopted by the President's Commission in conformance with that Executive order and that joint resolution, I have been authorized to take a sworn deposition from you. I state to you that the general nature of the Commission's inquiry is to ascertain, evaluate, and report upon the facts relative to the assassination of President Kennedy and the subsequent violent death of Lee Harvey Oswald. In particular, as to you, Mr. Rea, the nature of the inquiry today is to determine what facts you know about the death of Oswald and any other pertinent facts you may know about the general inquiry and about Jack Ruby and his operations and associates, and his movements and whereabouts on November 22, particularly.

Mr. REA. Yes, sir.

Mr. HUBERT. You have appeared here today, Mr. Rea, by virtue of a letter written to you by Mr. J. Lee Rankin, general counsel of the staff of the President's Commission, asking you to be present, is that correct?

Mr. REA. That's right, sir.

Mr. HUBERT. What is the date of that letter, sir, do you have it?

Mr. REA. I believe it was Monday, June 22.

Mr. HUBERT. When did you receive it?

Mr. REA. I received it yesterday. That came to my house Wednesday, however, no one was home.

Mr. HUBERT. Let me say this to you—under the rules adopted by the Commission, all witnesses are entitled to a 3-day written notice prior to the taking of their deposition, but the rules also provide that a witness may waive that notice if he sees fit to do so, and I ask you if you are willing to testify now and waive the notice?

Mr. REA. Yes, I am.

Mr. HUBERT. Then, will you rise and let me administer the oath, please.

Do you solemnly swear that the testimony you are about to give in this matter will be the truth, the whole truth, and nothing but the truth, so, help you God?

Mr. REA. I do.

Mr. HUBERT. Will you state your full name, please, sir?

Mr. REA. Billy A. Rea—Billy Andrew Rea.

Mr. HUBERT. Where do you live, sir?

Mr. REA. In Lancaster, Tex., 157 Arbor Lane.

Mr. HUBERT. How far is that from Dallas?

Mr. REA. Well, the city limits are adjacent—I live about 14 miles from downtown Dallas.

Mr. HUBERT. What is your occupation?

Mr. REA. I work for the Dallas Morning News on the retail advertising staff.

Mr. HUBERT. How old are you, sir?

Mr. REA. Forty.

Mr. HUBERT. Are you married?

Mr. REA. Yes.

Mr. HUBERT. Children?

Mr. REA. Three.

Mr. HUBERT. How long have you been employed by the Dallas Morning News?

Mr. REA. Nine years.

Mr. HUBERT. What was your occupation prior to that time?

Mr. REA. I edited and published a suburban paper in Wynnewood.

Mr. HUBERT. You've been in the newspaper business, I take it, all of your life?

Mr. REA. Yes; practically since I got out of college in 1949.

Mr. HUBERT. Where did you go to college?

Mr. REA. At Texas Christian University.

Mr. HUBERT. Did you graduate?

Mr. REA. Yes, sir.

Mr. HUBERT. What degree do you have?

Mr. REA. Bachelor of arts in journalism.

Mr. HUBERT. And that was in 1949?

Mr. REA. Yes.

Mr. HUBERT. Did you serve in the war?

Mr. REA. Yes.

Mr. HUBERT. Honorably discharged?

Mr. REA. Yes, sir.

Mr. HUBERT. Mr. Rea, I have previously handed you a document consisting of one page which I have marked for identification on the right-hand margin as follows: 'Dallas, Tex., June 26, 1964, Exhibit No. 1, Deposition of Billy A. Rea,' and have signed my name, Leon D. Hubert, Jr., and this document purports to be the report of an interview of you by FBI Agents Peden and Garriss on December 4, 1963. As I say, I have previously handed it to you so that you could read it and now I ask you if this half-page report is a correct report on the interview had of you by those FBI agents. Is there anything wrong or incorrect?

Mr. REA. Well, other than the fact that they misspelled my name, like I told you a minute ago.

Mr. HUBERT. Your name in that report is spelled "Ray," whereas, in fact your name is spelled "Rea."

Mr. REA. That's correct.

Mr. HUBERT. And your first name, instead of ending in "ie," ends in "y" [spelling] B-i-l-l-y?

Mr. REA. That is correct.

Mr. HUBERT. Other than that, is Exhibit No. 1 correct?

Mr. REA. Not exactly. It says here that I recall seeing Jack Ruby sitting in Don Campbell's chair "which chair is directly in front of the desk of Miss Georgia Mayor." That is not correct. He was sitting in Don Campbell's chair all right, but that chair is directly in front of the desk occupied by John Newnam. I don't know how this got in here. I don't recall anything other than that, except that it's just a technicality, I presume—that is.

Now, also, he was there and I do recall him sitting in the seat directly in front of Georgia Mayor, however, that seat is occupied and assigned to Dick Saunders, who was here previously. He sits right directly in front of Georgia.

Mr. HUBERT. What time did you first see Jack Ruby on that day?

Mr. REA. Well, you see, I had attended a funeral of a very close friend of mine that day and had gotten into the office late. I had a lot of things to do that I had postponed and I was in quite a bit of a hurry, and consequently that kept me from going to or attending the parade. I had planned to and wanted to. I got into the office just before noon, so I had to go eat to get with my business—I was running far behind, so we went to eat—I went to eat with a friend of mine and we got back into the office about between 12:30 and 12:40, I would say.

I don't recall seeing Jack Ruby at that time. He could have been there but I don't remember seeing him, whether he was in the office at that time or not. About that time—we hadn't been in the office over a couple of minutes until these boys, the men I work with, some of them were actually at the scene of the assassination—they ran up there and told us that President Kennedy had been shot.

Mr. HUBERT. Who in particular do you remember telling you that?

Mr. REA. Jim Willmon told me—he's the one that told me.

Mr. HUBERT. Had he been to the parade?

Mr. REA. Yes; he saw it or heard the shots.

Mr. HUBERT. Was that the first news you got about the President?

Mr. REA. Yes.

Mr. HUBERT. Do you remember what time that was?

Mr. REA. Well, I would say it was a quarter of one, I guess. Then, we went up—then, goodness—first of all—I thought—he's the type boy that will kid a little bit, you know, he's sort of an outspoken type individual, you know, and I thought—well, he was kidding, and I guess everybody else did too with the original idea or feeling or reaction to it, but then when I realized that he was serious, then we went upstairs up to the editorial room, thinking that perhaps we could get later information as it comes in, and so we went up there and stayed about 15 minutes or so.

Mr. HUBERT. Had you seen Jack Ruby then?

Mr. REA. I don't recall seeing him all that time. I don't know whether he was there or not.

Mr. HUBERT. What time do you think you got back from the room?

Mr. REA. It must have been around 1 o'clock or shortly after 1 o'clock.

Mr. HUBERT. Had you then heard anything about the shooting of Officer Tippit or of an officer?

Mr. REA. Oh, no, no.

Mr. HUBERT. When you came down—

Mr. REA. Well, I say—no—the original report was that three FBI men or a couple of Secret Service men had been shot also.

Mr. HUBERT. You figure that when you came down from the pressroom it was about 1 o'clock?

Mr. REA. Yes, within 5 or 10 minutes either way.

Mr. HUBERT. Then, you came down to the second floor?

Mr. REA. Yes.

Mr. HUBERT. Is that the first time you saw Ruby?

Mr. REA. Yes.

Mr. HUBERT. Where was he then?

Mr. REA. He was at Don Campbell's desk—that's where he was. He was sitting there in Don Campbell's chair which was directly in front of John Newnam's desk, not Georgia Mayor's.

Mr. HUBERT. What was he doing?

Mr. REA. Sitting there—just sitting there.

Mr. HUBERT. Did he speak to you?

Mr. REA. No.

Mr. HUBERT. Or you to him?

Mr. REA. No.

Mr. HUBERT. You had known the man, hadn't you?

Mr. REA. Oh, yes, I knew him—not personally.

Mr. HUBERT. Was Newnam there with him?

Mr. REA. No.

Mr. HUBERT. He was alone?

Mr. REA. He was alone.

Mr. HUBERT. Was Saunders there?

Mr. REA. I don't recall whether Saunders was there or not. I don't remember. He could have been—I don't remember. I can't specifically identify him as being there. He could have been, but you know, confusion reigned, but I do definitely remember him sitting in that chair.

Mr. HUBERT. I'm going to show you a chart which has been marked as Exhibit No. 4 of the deposition of John Newnam. It is a chart drawn by Mr. Newnam and I ask you to see if you can recognize it. Here is Young Street and here is Houston Street, and it purports to be the second floor?

Mr. REA. Yes.

Mr. HUBERT. This is the promotion department over on the right-hand side?

Mr. REA. Yes.

Mr. HUBERT. Over in this corner is Mr. Jeffery's office?

Mr. REA. Correct.

Mr. HUBERT. This desk No. 1 is his desk and this little dot with a circle is a TV set in his office?

Mr. REA. Yes.

Mr. HUBERT. Now, you will notice that the retail advertising department is about the middle of the page and that each desk is numbered?

Mr. REA. Yes, sir.

Mr. HUBERT. Can you tell us where you first saw Ruby—at what desk?

Mr. REA. Right here (indicating on Exhibit No. 4).

Mr. HUBERT. You are making a little "X" mark there between desks 23 and 25, right?

Mr. REA. Yes, sir.

Mr. HUBERT. I'm going to mark it "Position of Ruby When First Seen By Rea," is that right?

Mr. REA. That's correct.

Mr. HUBERT. And he was sitting or standing?

Mr. REA. He was sitting.

Mr. HUBERT. Which is Mr. Newnam's desk?

Mr. REA. No. 23.

Mr. HUBERT. When you saw him Mr. Newnam was not there?

Mr. REA. That's right. There was no one around the desk.

Mr. HUBERT. Did you see him ever between desks 5 and 3?

Mr. REA. Yes.

Mr. HUBERT. Whose desk is that?

Mr. REA. Let me see—This is the desks for the secretaries and 3 is Georgia Mayor's and 5 is Dick Saunders—yes—that would be correct.

Mr. HUBERT. You saw him there?

Mr. REA. Yes; later on in the afternoon.

Mr. HUBERT. Who was he talking to or was he alone?

Mr. REA. Yes; he was talking to—well, from time to time I saw him talking to various people. I do recall him talking to Georgia Mayor, our secretary.

Mr. HUBERT. Do you recall him talking to Saunders?

Mr. REA. I think—well, it seems like that later on—I know Dick was in there—yes.

Mr. HUBERT. It would have been after 1 o'clock?

Mr. REA. Yes; oh, yes.

Mr. HUBERT. Did you see him around the TV set?

Mr. REA. Yes; I observed him in here [indicating].

Mr. HUBERT. What seemed to be his reaction at that time?

Mr. REA. Oh, he definitely had a look of despair. I don't know what you'd say—it was—he was emotionally "shookup" so to speak. There was no question about that. Of course, like I've told these other men that I've talked to, so was everybody else.

Mr. HUBERT. That's the point I wanted to get at. Do you think that he was more "shookup" than the other people around there?

Mr. REA. I'll say—I'd say that he had a little bit different look—yes—a different type of an expression; yes.

Mr. HUBERT. Is that a recollection that you formed at that time or since?

Mr. REA. No, sir—yes—well—when I heard of the—well; yes, the picture of him just sort of stood out. It really impressed me.

Mr. HUBERT. Now, mind you, this was before he had had anything to do with this?

Mr. REA. Yes; that's right.

Mr. HUBERT. You now recall that he had a look that was different from other people's?

Mr. REA. Well, yes; and I realized it at that time. Of course, now, you'd look around and people were crying, some of them were crying. He didn't shed a tear, that I saw. Other people were staring at the floor, but this guy had an ashen, pale look that, you know, like he was in a state of shock.

Mr. HUBERT. And you noticed it then?

Mr. REA. Yes; I did.

Mr. HUBERT. Well, of course afterwards, I suppose, when he became more closely connected with the matter, your recollection went back to that mental image?

Mr. REA. That's right. I was just getting out of church when this happened. I didn't watch it on television, so when we came out we tuned in the radio or right away turned it on and all this big bedlam was going on, that Oswald had been shot, and so within 5 minutes I was home, and within another 5 minutes this Georgia Mayor who also lives in Lancaster called, called over, and we discussed it at that time.

Mr. HUBERT. You mean you discussed your former recollection that he seemed to be more shocked than anyone else?

Mr. REA. Oh, yes; or the sort of strange look that he had, and like I said—also—whether that's the normal thing for him under similar circumstances, I don't know.

Mr. HUBERT. Did he talk to you about closing the club at any time on that day?

Mr. REA. I never one time talked to him. I had no conversation with him.

Mr. HUBERT. Did he make any comment about the shooting of the officer?

Mr. REA. Pardon?

Mr. HUBERT. Did he make any comment to you about the shooting of the officer?

Mr. REA. No; I did not hear him make any comment of any kind to anybody. I did not.

Mr. HUBERT. You are not aware whether he even knew that the officer had been shot?

Mr. REA. No.

Mr. HUBERT. Did you hear him make any comment about the Weissman ad?

Mr. REA. No, sir.

Mr. HUBERT. Are you familiar with what the Weissman ad is?

Mr. REA. Yes, sir.

Mr. HUBERT. He never commented to you about it?

Mr. REA. Not to me; no, sir.

Mr. HUBERT. Did you have anything to do with the taking of the Weissman ad or placing it?

Mr. REA. No, sir; not a thing.

Mr. HUBERT. Do you know who did?

Mr. REA. I believe—well, Cy Wagner approved it. He's the director of advertising, and a boy by the name of Dick Houston, I believe, actually took the money and ordered the ad.

Mr. HUBERT. Do you know what time Ruby left the second floor of the Dallas Morning News Building?

Mr. REA. No, sir; I couldn't tell you that. I just don't know. I left about—personally—oh, I'd say about 3 o'clock myself.

Mr. HUBERT. Was he there then?

Mr. REA. Well, he was there then. I believe he was—I don't even remember—I can't remember that—I don't know. It's a mere guess, but I'm almost positive he was still there. Now, I don't know—he could have gone and come back—I don't know.

Mr. HUBERT. What makes you think that he might have been there as late as 3 o'clock?

Mr. REA. Well, it just seemed like—it seemed to me like he was there all afternoon. Now, he may not have been.

Mr. HUBERT. Are you sure about your leaving at 3 o'clock?

Mr. REA. I'm not positive about it—no—I do know I went downtown.

Mr. HUBERT. When did you first hear of the President's death?

Mr. REA. Oh, well, when they announced it—whenever it was.

Mr. HUBERT. You heard the announcement?

Mr. REA. Yes; I heard the announcement.

Mr. HUBERT. Was Ruby there then?

Mr. REA. Well, I believe that when I actually heard that he was dead, that when they made the official announcement, that I was watching it on television in Dick Jeffery's office and there were, I guess, 50 people around at the time milling around. I don't know whether he was there or not.

Mr. HUBERT. You didn't see him?

Mr. REA. It was likely that he was—I could not swear to it.

Mr. HUBERT. Do you remember any particular reaction that he had to the President's death as opposed to the shooting of the President?

Mr. REA. No; I don't recall.

Mr. HUBERT. You didn't see him leave, physically?

Mr. REA. No, sir.

Mr. HUBERT. I think that's about all. Have you any other comment to make?

Mr. REA. No, sir.

Mr. HUBERT. Did you see Ruby thereafter?

Mr. REA. No, sir; well, I was subpoenaed, well, not subpoenaed either—they just called me.

Mr. HUBERT. No; I mean before the 24th?

Mr. REA. Oh, no—no.

Mr. HUBERT. Now, I don't think there has been any conversation between us that has been off the record, is that right?

Mr. REA. No.

Mr. HUBERT. Everything that has occurred between us has been on the record?

Mr. REA. Oh, yes; as far as I'm concerned.

Mr. HUBERT. Thank you, sir.

Mr. REA. Yes, sir.

TESTIMONY OF RICHARD L. SAUNDERS

The testimony of Richard L. Saunders was taken at 11:45 a.m., on June 26, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Leon D. Hubert, Jr., assistant counsel of the President's Commission.

Mr. HUBERT. This is the deposition of Mr. Richard L. Saunders.

Mr. Saunders, my name is Leon Hubert. I am a member of the advisory staff of the general counsel of the President's Commission on the Assassination of President Kennedy. Under the provisions of Executive Order 11130 dated November 29, 1963, and the joint resolution of Congress No. 137, and the rules of procedure adopted by the Commission in conformance with the Executive order and the joint resolution, I have been authorized to take this sworn deposition from you.

I state to you now that the general nature of the Commission's inquiry is to ascertain, evaluate and report upon the facts relevant to the assassination of President Kennedy and the subsequent violent death of Lee Harvey Oswald. In particular, as to you, Mr. Saunders, the nature of the inquiry today is to determine what facts you know about the death of Oswald and any other pertinent facts you may know about the general inquiry and about Jack Ruby and his operations and associates and his movements such as you may know them on the pertinent dates.

Now, I think you have appeared here today by virtue of a letter written to you by Mr. J. Lee Rankin, general counsel of the staff of the President's Commission, asking you to come, is that correct?

Mr. SAUNDERS. That's correct.

Mr. HUBERT. What is the date of that letter, do you recall?

Mr. SAUNDERS. The date of the letter is June 22, 1964.

Mr. HUBERT. When did you receive it?

Mr. SAUNDERS. On June 24.

Mr. HUBERT. Under the rules adopted by the Commission pursuant to the joint resolution of Congress, all witnesses are entitled to a 3-day written notice prior to the taking of their deposition, but the rules also provide that they may waive that written notice if they see fit to do so and I ask you if you are willing to waive the 3-day notice and testify now?

Mr. SAUNDERS. That is correct. I will.

Mr. HUBERT. Will you stand, then, so that I may administer the oath.

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. SAUNDERS. I will.

Mr. HUBERT. Now, first of all, I have previously handed to you so that you could read it, a document consisting of three pages, and which I have marked for identification as follows: On the first page in the right-hand margin I have marked "Dallas, Texas, June 26, 1964, Exhibit No. 1, Deposition of Richard L. Saunders", below which I have signed my name. The document as I said, consists of three pages and I have marked on the second and third pages my initials in the lower right-hand corner. This purports to be an interview of you by FBI Agents Peden and Garriss on December 4, 1963.

I have asked you to read it and to state to me now whether or not this is a correct report of that interview. I notice that there are some little question marks that you have here and perhaps it is best to take them one by one.

Mr. SAUNDERS. In general substance, that is a correct statement. There are some minor clarification points which I would like to bring out.

Mr. HUBERT. I notice that there is a question mark, apparently, next to the last sentence of the second paragraph on page 1, which sentence reads as follows: "He estimated that it took him a total of 10 minutes to arrive at his office after the President's car passed him and said that this would make his arrival time at approximately 12:40 p.m." Do you have any comment to make about that, sir?

Mr. SAUNDERS. The travel time of 10 minutes is correct. The arrival time of 12:40 would be dependent upon the time of the assassination, which I am not aware of at this moment. In other words, if the President was shot at 12:30, I would have arrived at approximately 12:40.

Mr. HUBERT. Where were you when the President himself passed you?

Mr. SAUNDERS. I was approximately 100 yards west of the triple underpass, at the railroad overpass at Stemmons.

Mr. HUBERT. And you walked back?

Mr. SAUNDERS. No; I was in my automobile. My car was parked at that underpass and I was outside of the car at a police motorcycle barricade.

Mr. HUBERT. Did you in fact witness the shooting?

Mr. SAUNDERS. No; we could not see the actual site. We could see the building the Texas School Book Depository Building, but you could not see the area of the assassination from the area where I was positioned.

Mr. HUBERT. When you left the position from which you walked, were you then aware that there had been some shots fired?

Mr. SAUNDERS. Yes. There was one of our reporters, Mr. Larry Grove, was at that point with me and I asked Larry what had happened and he said both Connally and Kennedy had been shot. At that moment a directive came over the police radio on one of the motorcycles that the shooting came from—and they directed the personnel—whoever they were talking to over the radio to the given window, which has now been purported that from which the shots of the assassin came.

Mr. HUBERT. But you heard about it over the police radio of a motorcycle standing nearby where you were?

Mr. SAUNDERS. Right.

Mr. HUBERT. Was there a police announcement that the shots had come from a particular window in the Texas Depository Building?

Mr. SAUNDERS. That's correct.

Mr. HUBERT. Do you remember if they described the window on the radio?

Mr. SAUNDERS. They said—I believe—it was the next to the top floor, an open window at the far right-hand side, and then there was evidently some communication there which I missed, and they clarified, "No; as you are standing facing the building it would be on the sixth floor."

Mr. HUBERT. Now, at the time you heard that, had the Presidential car carrying the President to the hospital passed by?

Mr. SAUNDERS. Yes; it was just moments before that they had passed by.

Mr. HUBERT. Could you see the President or the Presidential party?

Mr. SAUNDERS. We could see the party. You could not define anyone specifically in the car. There was what I now assume was an agent perched on top of the convertible in the rear, hanging on for dear life, and everybody else except the driver was crouched down in a pile, so to speak, in the car.

Mr. HUBERT. What about Mrs. Jacqueline Kennedy?

Mr. SAUNDERS. You could see no one. It was just a mass of people. The only two people you could possibly distinguish were the rider on the back seat of the convertible, with his feet in the seat sitting up in the back hanging on, and the driver in the car. The car went by at a very high rate of speed.

Mr. HUBERT. How long after that—after the shots—did you observe what you have just described?

Mr. SAUNDERS. Well, I heard no shots. From my point there was enough traffic noise and general commotion that you couldn't hear shots.

Mr. HUBERT. When did you become aware that the President had been shot?

Mr. SAUNDERS. Oh, not more than 1 minute after the car had passed.

Mr. HUBERT. In other words, when the car passed, you were not aware that there had been some shots?

Mr. SAUNDERS. No.

Mr. HUBERT. And it was only then when you heard it over the radio, I suppose, that you knew it?

Mr. SAUNDERS. Well, at that moment as the car went by, there were two, possibly three, cars came by a few moments later—not necessarily in a close group, but they came filtering through—each in a high rate of speed.

Mr. HUBERT. How far were you away from the Presidential car?

Mr. SAUNDERS. Oh, 25 feet—two lanes of traffic.

Mr. HUBERT. Where was your car parked?

Mr. SAUNDERS. On the center median of Stemmons Expressway at the railroad overpass, approximately 100 yards west of the triple underpass. There is a bisecting rail line there.

Mr. HUBERT. You were standing beside your car?

Mr. SAUNDERS. Right.

Mr. HUBERT. Was there a police motorcycle there?

Mr. SAUNDERS. There were several police motorcycles there—purportedly to stop traffic on Stemmons as the Presidential motorcade came through.

Mr. HUBERT. How far were you from the Texas School Book Depository Building?

Mr. SAUNDERS. Oh, roughly 150 yards—100 to 150 yards.

Mr. HUBERT. When you heard the news over the radio, the police radio, what did you do?

Mr. SAUNDERS. I got back in my car.

Mr. HUBERT. Were you alone?

Mr. SAUNDERS. I was alone; yes. I was headed to the building, to my office, at the time I stopped there.

Mr. HUBERT. What route did you take to go from the place you were parked there to your office building?

Mr. SAUNDERS. I took the cloverleaf off of Stemmons, which was another 200 yards south and turned back up Commerce Street and went through the triple underpass up to Young Street and turned—I mean—to Houston Street, and turned right on Houston Street down to Young Street, and my office is at that corner.

Mr. HUBERT. Did you park your car in the street?

Mr. SAUNDERS. No; I parked it in our parking stall at the rear of the building.

Mr. HUBERT. Then you walked up to your office?

Mr. SAUNDERS. Right.

Mr. HUBERT. Can you give us now an estimate of the time it took you from the time the Presidential car passed by you with everybody stooped down in it until you got to your office on the second floor?

Mr. SAUNDERS. Approximately 10 minutes—I would estimate.

Mr. HUBERT. Have you checked whether that can be done in 10 minutes?

Mr. SAUNDERS. Oh, yes; it can be done in much less than 10 minutes; however, with the general confusion around the area, the traffic was somewhat stacked up and after waiting for a couple of lights to get to the office, which I had to pass by—yes.

Mr. HUBERT. When you got to your office, did you see Jack Ruby?

Mr. SAUNDERS. I went directly to my office and as I walked into the office there were several salesmen in the office at the time, as is normal for noon deadlines on Friday, and I walked over to my desk and at that time Jack Ruby was standing beside my desk, or standing at my desk. He was not seated there.

Mr. HUBERT. Did you engage him in conversation in any way?

Mr. SAUNDERS. I spoke to him—this is a rather heated time of day any Friday in our business, particularly in my own instance, and I was dubious as to where we might stand as far as publication of the paper, due to the events that had just transpired, and I spoke to Jack—I had called on him previously. I had known him for 6 or 7 years, and I spoke to him, and each of us in the office were conversing to one another, and when I spoke to Jack he was very obviously

shaken, and an ashen color—just very pale—he nodded in reply, if he replied anything—it was just in agreement, so to speak. We were making statements like “Well, this is terrible,” and things like that, and he just agreed and nodded, and with that I sat down at my desk and finished some work which I was working on.

Mr. HUBERT. Did you see him thereafter?

Mr. SAUNDERS. Yes, he was wandering around in the office. After I finished some immediate work—he was talking to various people around the office and there was a small television at an adjoining desk and we were over there watching it at the time—just generally milling around in the office.

Mr. HUBERT. This was Mr. Jeffery’s office?

Mr. SAUNDERS. Right.

Mr. HUBERT. When you first came in, was Mr. Newnam there?

Mr. SAUNDERS. I don’t recall.

Mr. HUBERT. Now, Mr. Newnam has previously drawn for us and identified as Exhibit No. 4 of the deposition of John Newnam, a chart showing the general layout of the second floor, the rectangular upper right-hand corner with No. 1 in it, being Mr. Jeffery’s desk, and this dot with the circle being the television set.

Mr. SAUNDERS. That’s correct.

Mr. HUBERT. I’m giving you this as a bit of orientation—this squiggly line is a glass partition?

Mr. SAUNDERS. That’s correct.

Mr. HUBERT. Then, of course you see this is the promotion department?

Mr. SAUNDERS. Right.

Mr. HUBERT. He has numbered here the various desks in the advertising department?

Mr. SAUNDERS. Yes.

Mr. HUBERT. Would you look at this and tell us which is your desk?

Mr. SAUNDERS. No. 5.

Mr. HUBERT. Was it at that desk that you spoke to Ruby, as you indicated a while ago?

Mr. SAUNDERS. That’s correct.

Mr. HUBERT. Where was he with reference to No. 5?

Mr. SAUNDERS. Between 5 and 3—there are 4 desks there.

Mr. HUBERT. Your seat actually is also between 5 and 3, isn’t it?

Mr. SAUNDERS. That’s correct.

Mr. HUBERT. Was he on the Young Street side of your chair or the opposite side?

Mr. SAUNDERS. On the opposite side.

Mr. HUBERT. Now, I’m going to mark a place—would you say he was here—or would you show me where he was?

Mr. SAUNDERS. May I?

Mr. HUBERT. Yes, indeed. Just mark an “X” to show where he was.

Mr. SAUNDERS [the witness so marked the exhibit].

Mr. HUBERT. Now, I will draw a little line out from here and say, “Ruby position when Saunders saw him”; is that correct?

Mr. SAUNDERS. That’s correct.

Mr. HUBERT. And you were on the Young Street side of Ruby, right?

Mr. SAUNDERS. No; we enter from this area here.

Mr. HUBERT. I see, you came from the other way?

Mr. SAUNDERS. Right. This is nothing but a blank wall with windows on this side—the front of the building.

Mr. HUBERT. I’m going to mark a place called “Y” and ask you if that’s when you saw him?

Mr. SAUNDERS. Right.

Mr. HUBERT. This is where you were—“Saunders’ position.” How long did you talk to him—about?

Mr. SAUNDERS. Oh, just momentarily; just to speak.

Mr. HUBERT. Did you thereafter have any further conversation with him?

Mr. SAUNDERS. No.

Mr. HUBERT. Now, you described him as being "shook up and ashen white," and of course by "ashen white" I think you probably mean pale?

Mr. SAUNDERS. Right.

Mr. HUBERT. Were there any other manifestations which led up to what is really an intellectual conclusion of being "shook up"?

Mr. SAUNDERS. Well, Jack is a very nervous individual and always has been. Having called on him in previous years and having known him from a business association over a period of approximately 6 years, you get to know an individual and their reactions to a certain degree. He was virtually speechless, which is quite unusual for Jack Ruby. He usually has a lot to say and will talk to you at very great lengths.

Mr. HUBERT. That was immediately after you came in?

Mr. SAUNDERS. Right—this was upon my entering the office there—I went directly to my desk and spoke to him, and he just had a very dazed staring look on his face. To describe it further is a little bit hard to do.

Mr. HUBERT. He didn't say anything?

Mr. SAUNDERS. No; not to my knowledge. Due to the fact that each of us were speaking to one another in tones of remorse and he was certainly replying just like any of the others, in agreement, that it was a terrible event.

Mr. HUBERT. At that time, was it known that the President had been shot?

Mr. SAUNDERS. Yes.

Mr. HUBERT. It was not known, I take it, that the President had died?

Mr. SAUNDERS. No. There was some—there were rumors around, possibly 30 or 45 minutes later, that he was dead, but it was not officially noted possibly for another hour or possibly an hour and a half.

Mr. HUBERT. Now, perhaps you had better go over some of the other question marks you have—returning to the third paragraph?

Mr. SAUNDERS. Well, in this sentence, "When Saunders first saw him, Saunders felt that Ruby was probably more shook up than any of the other people in the office at that time." I don't feel that he was necessarily "more shook up" than anyone else, but he was very obviously shaken by the events and the news of the President's being shot.

Mr. HUBERT. Your comment therefore is that this report indicating that you had said to the FBI people that he was more shook up or probably more shook up than any of the other people, is not an accurate statement of what you expressed?

Mr. SAUNDERS. I feel not.

Mr. HUBERT. And the accurate statement is that he was shook up like everybody else?

Mr. SAUNDERS. Right.

Mr. HUBERT. But not more so?

Mr. SAUNDERS. Right.

Mr. HUBERT. Now, turning to the second page of Exhibit No. 1, I notice that in the fifth line you have a question as to a sentence reading as follows: "He never doubted Jack Ruby's word at any time and Ruby never turned out to be a bad credit risk but always paid off exactly as he agreed."

Mr. SAUNDERS. In our business association Jack Ruby's club, the Vegas Club, was not extended credit by the Dallas News, but it was what we term a "cash with copy" account. He was advertising with us steadily, as he always did thereafter. At the time I was calling on him, quite often he would place advertising copy very close to deadlines over the telephone, which was not convenient to run 10 miles out to his club and try and get cash, where we had a 5-minute deadline or 10-minute deadline. I, in my own workings at the paper quite often work with accounts, and if they tell me "I'll pay you tomorrow," I'll say "fine," and I'll go ahead and put the ad in the paper and go get the money the next day. This is what I would do.

I will not say I never doubted Jack Ruby's word at any time. I think that is a misquote. It is a fact that he did do what he told me he would do on each instance, but any time in any business when you're dealing with someone who is on a credit basis where there is no credit that has been established, you can't help but take a tongue-in-cheek attitude, and certainly the statement makes it sound like I am trying to whitewash him, which I certainly do not mean to do.

Mr. HUBERT. It's too broad—all you mean to say is that you would extend him credit on the terms you just described?

Mr. SAUNDERS. Right—on a personal basis.

Mr. HUBERT. Now, I notice in apparently the 9th or 10th lines you have a question.

Mr. SAUNDERS. "Ruby never carried a gun on his person except on occasions when Ruby would be carrying money."

I have never seen Jack or known of him to be carrying a gun on his person, but as stated further on, I have seen him counting money in his club and place that money into a paper sack and at the time place a gun that was in or on the desk, into that paper sack and walk out with it, but never to be carrying a gun on his person, in such a manner as to be concealed within a coat or pocket.

Mr. HUBERT. In other words, your comment is that you don't know whether he ever carried a gun, except as you have just described?

Mr. SAUNDERS. Yes; as I have just described it, that's correct.

Mr. HUBERT. Now, the second paragraph—you have a little question mark there—"Ruby was known as being a woman chaser"—what about that?

Mr. SAUNDERS. "And to be particularly interested in the strippers that worked for him."

Jack had related to me on occasion from time to time about that he might have dates with this stripper or that stripper, but not necessarily more so than any other girl that he might come in contact with. The point of being particularly interested in his strippers is somewhat misleading.

Mr. HUBERT. In other words, you think that the word "particularly" doesn't represent the thought that you meant to convey in the interview?

Mr. SAUNDERS. Right—that's correct.

Mr. HUBERT. Now, the next paragraph—there is a little question mark on the left-hand margin and I ask you what you have in mind there?

Mr. SAUNDERS. Well, this was just conjecture on my part, just as any other person following the various news medias that Jack Ruby had previously to the shooting of Oswald been down to the Western Union office and wired money to a girl in Houston, I believe it was, and then it was reported that he had a large sum of money on his person at the time of the shooting of Oswald. My conjecture was he might have had a gun with him for those reasons, strictly from past experiences where I knew he had a gun about his person or in a paper sack when he had extra large sums of money with him.

Mr. HUBERT. In other words, it's conjecture on your part?

Mr. SAUNDERS. Right.

Mr. HUBERT. And I think the way the statement reads it indicates it is conjecture?

Mr. SAUNDERS. Well, that's fine, but I did want that brought out that it is not a positive statement.

Mr. HUBERT. It's not based on any facts you know about, but it's your estimate of the situation from what you knew of him and of his operations?

Mr. SAUNDERS. Right.

Mr. HUBERT. Now, I see your question mark as to the last paragraph too?

Mr. SAUNDERS. Oh, this is just my question here in regards to his telling me he had an injunction against another club advertising amateur nights of strippers. His point which he was attempting to show me one day—the injunction, which at the moment I was busy and didn't have time to wait for him and excused myself—I did not see an injunction and this was just his word, and it was just the fact that these amateur nights as such—my understanding of the law reads—you can't work as an entertainer unless you are licensed to do so.

Mr. HUBERT. Well, all the statement says is that some time before Ruby had told you that, and is it true, that he did tell you that?

Mr. SAUNDERS. Right " * * * only a short time before the assassination." Now, this was misleading—it was several days before. It wasn't in terms of minutes.

Mr. HUBERT. Now, I see no other questions, so I take it that otherwise this statement represents a fair and correct report of the interview with you, as amended and as clarified, or is there anything else?

Mr. SAUNDERS. I believe that will clarify any questions in my mind.

Mr. HUBERT. Did you talk to Ruby at any time about the Weissman ad?

Mr. SAUNDERS. No.

Mr. HUBERT. Are you familiar with that ad at all?

Mr. SAUNDERS. Yes, I am.

Mr. HUBERT. He never spoke to you about that?

Mr. SAUNDERS. No.

Mr. HUBERT. He never complained to you or made any comment to you whatsoever?

Mr. SAUNDERS. No, he did not.

Mr. HUBERT. Did he make any comment to anyone else within your hearing?

Mr. SAUNDERS. No.

Mr. HUBERT. Do you know anything about the Weissman ad in this sense—did you have anything to do with placing it, or do you know who placed it?

Mr. SAUNDERS. None whatsoever.

Mr. HUBERT. You know nothing about how it got into the paper or who placed it?

Mr. SAUNDERS. No, I do not.

Mr. HUBERT. Do you know when he left?

Mr. SAUNDERS. Jack Ruby?

Mr. HUBERT. When Jack Ruby left that day, when he left the offices?

Mr. SAUNDERS. No, to ascertain a time, I would not try and hazard a guess, because his appearance there at the paper was a very commonplace thing, and to pay any particular attention as to when he comes and goes, we didn't.

Mr. HUBERT. Do you have any independent recollection of having seen him after the first time you saw him when you first came in?

Mr. SAUNDERS. Yes, I'd say I saw him in and about the office for approximately 30 minutes afterward.

Mr. HUBERT. You didn't particularly notice his departure because there was no particular reason why you should?

Mr. SAUNDERS. That's correct.

Mr. HUBERT. But you do think he was there for 30 minutes after you first arrived—and after you first saw him?

Mr. SAUNDERS. Right.

Mr. HUBERT. Did you see him talking to Mr. Newnam?

Mr. SAUNDERS. He was over in the area of Mr. Newnam's desk, where he was normally placing his ads—where he would normally be placing his ads—through Mr. Newnam. In my own recollection as to whether it was Mr. Newnam or another salesman taking care of him at the time, I can't recall.

Mr. HUBERT. Did you go to lunch with Mr. Newnam that day?

Mr. SAUNDERS. No.

Mr. HUBERT. Can you tell us, if you know, whether Ruby was still there when the announcement that an officer had been shot, came over the news?

Mr. SAUNDERS. The announcement of an officer having been shot was made at approximately the same time as I entered, that there was conjecture at that time as to whether there was an officer—now, the officer you're speaking of being Tippit?

Mr. HUBERT. Yes.

Mr. SAUNDERS. No, I would say he was not there at that time. There was conjecture that there might have been a Secret Service agent shot along with Kennedy at that time.

Mr. HUBERT. That was when you first came in?

Mr. SAUNDERS. That was when I first came in—yes.

Mr. HUBERT. But the Tippit matter was considerably later, wasn't it?

Mr. SAUNDERS. Right—it was considerably later, and to my knowledge Jack Ruby had departed at that time. Now, he might have been in another area of the building, I don't know.

Mr. HUBERT. What makes you believe he had departed?

Mr. SAUNDERS. I don't recall having seen him. As I say, I can remember him being around for approximately 30 minutes and it was considerably longer than that before the report on the Tippit shooting came through.

Mr. HUBERT. Is it a fact, of course, that the report on the President's death came after the report of the shooting of Tippit?

Mr. SAUNDERS. Right.

Mr. HUBERT. So you would think that Ruby was gone when the announcement of the President's death was made?

Mr. SAUNDERS. Right—to my knowledge.

Mr. HUBERT. Now, I noticed that in your statement which has been identified as Exhibit No. 1, you have made some remarks concerning your knowledge of Jack Ruby and his striving for recognition and his desire to do the right things and his respect for authority, and so forth. Can you give us some examples that would illustrate these characteristics?

Mr. SAUNDERS. Well, Jack was always hovering around people in the newspaper business for some reason.

If myself or another salesman showed up at one of his clubs, it was almost the red-carpet treatment, which as advertising salesman, we have no way to help him. We felt it was possibly a case of just wanting to be around newspaper people.

I know for a fact that Ruby quite often talked of knowing this police officer or that official in a bragging type manner.

Mr. HUBERT. Sort of a name-dropping situation?

Mr. SAUNDERS. Sort of a name-dropping situation.

Mr. HUBERT. And that was consistent, and for a long time?

Mr. SAUNDERS. Right—as long as I knew him, and at any time that he could be around anyone that had a name, regardless of what position, whether it be in the entertainment business, whether it be a columnist, or whether it be a city official.

Mr. HUBERT. Did you see a specific example of that? If you could give us some specific examples, it would be helpful.

Mr. SAUNDERS. Oh, just quoting a specific example, with names—it's been so long ago that I would hate to hazard a guess. It would just be a guess on my part.

Mr. HUBERT. What about his desire to do the right thing, which you recognize as a characteristic of this man, can you give me any examples of that?

Mr. SAUNDERS. Well, from the time I first knew him, he always wanted to, and in conversations with him about his business, which was normal in our contact, he would want to strive to make his club better than the next club, so to speak, and he would constantly point out areas where if there was any rowdiness or loud, drunkenness-type parties in his club, he would throw them out.

Mr. HUBERT. You have seen it happen?

Mr. SAUNDERS. I've seen it happen, and not 3 weeks before the assassination—a Mr. Donald Campbell and myself, another advertising salesman, had visited for the first time his club.

Mr. HUBERT. The Carousel Club?

Mr. SAUNDERS. His Club Carousel, and at the time we were there, again it was very much the red-carpet treatment, wanting to know our opinions on his acts, and apologizing if the emcee had corny jokes, but he was working hard, and he had nothing but good things to say about most people, and the evening we were there there was a customer who had gotten a little out of hand, certainly nothing that you won't see in any nightclub, and right away Jack Ruby took offense at it and told the person to leave and threw him out.

Mr. HUBERT. Did he use force to do so?

Mr. SAUNDERS. No; he just went over and very pointedly told the man "This is not allowed in this club. Will you get up and leave right now—out. We don't want you around."

Mr. HUBERT. And the man left?

Mr. SAUNDERS. And the man left. As far as seeing him use force, I have never seen him use force. I have heard that he did on occasion use force, however, it was suprising to me because I never thought of Jack Ruby as being one who could physically or being physically capable of using force. However, I was evidently mistaken on that point.

Mr. HUBERT. You also mentioned as a characteristic of him that he seemed to have respect for authority?

Mr. SAUNDERS. Well, in the word "authority" is taken possibly out of context. I should say—well, it's almost the name dropping—anyone with any degree of notoriety.

Mr. HUBERT. And that would include of course people who had actual authority?

Mr. SAUNDERS. Right.

Mr. HUBERT. Did he ever say anything concerning any underworld associations he might have had?

Mr. SAUNDERS. None whatsoever.

Mr. HUBERT. Did he express any opinion with regard to them?

Mr. SAUNDERS. No.

Mr. HUBERT. There was no name dropping there?

Mr. SAUNDERS. No.

Mr. HUBERT. Or in that area?

Mr. SAUNDERS. None whatsoever.

Mr. HUBERT. Did he ever express to you any sensitivity or consciousness about his Jewish background or the position of the Jew in society?

Mr. SAUNDERS. No; not that I recall. Many people that I call on are Jewish, in my particular phase of business, and this area is very commonplace with me and never taken offense at or was there any reason to bring it up.

Mr. HUBERT. Did he ever express any sensitivity in that area, or did you observe any?

Mr. SAUNDERS. No.

Mr. HUBERT. Now, by way of closing this interview, I will ask you first of all if you have anything else you want to say?

Mr. SAUNDERS. Not that I can recall. I feel the statement pretty well covers any pertinent facts that I might be aware of.

Mr. HUBERT. Now, there has been a very slight bit of conversation between us prior to the time this interview began, but I want to ask you whether in that slight conversation there was anything covered or mentioned that has not been recorded during the course of the interview?

Mr. SAUNDERS. None whatsoever.

Mr. HUBERT. Thank you very much, sir.

Mr. SAUNDERS. Thank you. I appreciate your time.

Mr. HUBERT. That's all right, and I'm sorry to have kept you waiting.

Mr. SAUNDERS. That's all right. Thank you again.

Mr. HUBERT. All right. Thank you.

TESTIMONY OF THAYER WALDO

The testimony of Thayer Waldo was taken at 12:50 p.m., on June 27, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Leon D. Hubert, Jr., assistant counsel of the President's Commission.

Mr. HUBERT. This is the deposition of Mr. Thayer Waldo.

Mr. Waldo, my name is Leon D. Hubert. I am a member of the advisory staff of the general counsel of the President's Commission. Under the provisions of Executive Order 11130 dated November 29, 1963 and the joint resolution of Congress No. 137 and the rules of procedure adopted by the President's Commission in conformance with the Executive order and the joint resolution, I have been authorized to take this sworn deposition from you.

I state to you that the general nature of the Commission's inquiry is to ascertain, evaluate and report upon the facts relative to the assassination of President Kennedy and the subsequent violent death of Lee Harvey Oswald. In particular as to you, Mr. Waldo, the nature of the inquiry today is to de-

termine what facts you know about the death of Oswald and any other pertinent facts you may know about the general inquiry and about Jack Ruby and his movements and operations and associates and so forth.

I think you have appeared here today by virtue of a letter written to you by Mr. J. Lee Rankin, general counsel of the staff of the President's Commission asking you to be present, is that correct?

Mr. WALDO. Yes, sir.

Mr. HUBERT. When did you receive that letter?

Mr. WALDO. On, as nearly as I can recall, Tuesday last.

Mr. HUBERT. Will you stand and take the oath, please?

Mr. WALDO. Surely.

Mr. HUBERT. Do you solemnly swear that the testimony you are about to give in this matter will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. WALDO. I do.

Mr. HUBERT. State your full name, please?

Mr. WALDO. Thayer Waldo. There is no middle initial.

Mr. HUBERT. Where do you live, sir?

Mr. WALDO. 200 Burnett Street in Fort Worth, Tex.

Mr. HUBERT. Apartment 520?

Mr. WALDO. No; I've moved from that. It's now 926.

Mr. HUBERT. That's in Fort Worth?

Mr. WALDO. Yes.

Mr. HUBERT. What is your occupation, Mr. Waldo?

Mr. WALDO. I am a newspaper reporter.

Mr. HUBERT. How long have you been such?

Mr. WALDO. You mean in the profession?

Mr. HUBERT. Yes?

Mr. WALDO. Approximately 24 years.

Mr. HUBERT. How long have you been with the Fort Worth Star-Telegram?

Mr. WALDO. Just a year.

Mr. HUBERT. With what newspaper were you prior to joining the Fort Worth Star-Telegram?

Mr. WALDO. Well, for several years before joining the Star-Telegram I was abroad as a foreign correspondent in Mexico, Cuba until it was no longer possible to remain in Cuba, and then in the Dominican Republic.

Mr. HUBERT. Mr. Waldo, I have just a moment ago handed you a document consisting of five pages which purports to be a report of an interview of you by FBI Agents Joseph L. Scott and Tom Carter on November 30, 1963, which I have marked for the purpose of identification as follows: "Dallas, Texas, June 27, 1964, Exhibit No. 1 of the deposition of Thayer Waldo" and "Leon D. Hubert" which I have placed on the margin of the first page of that document, the right-hand margin, and on all four pages I have identified them by placing my initials in the lower right-hand corner on those pages. Have you had an opportunity to read this, sir?

Mr. WALDO. Yes, sir.

Mr. HUBERT. I ask you now whether this document correctly reflects the interview and the truth as far as you know it. If you have any place, at which you would like to make a comment, point it out so that I may get into the record just what you are talking about, then you can make your comment.

Mr. WALDO. The report of the transcription here is substantially correct. I have pointed out to you previously two minor discrepancies.

Mr. HUBERT. Now, one of them is on page 3, the second paragraph—the fifth and sixth lines reading as follows, to wit: "Waldo identified himself over the telephone by name and by newspaper and asked the Sergeant if Oswald had been moved. Waldo said the Sergeant said 'No, he would be moved in one-half or two hours' ". Now, I think you want to address yourself to those two sentences?

Mr. WALDO. That's right. The circumstance was that we had remained, I say "we", that is a colleague of mine with the same newspaper, Ed Johnson and I, who were forming the team. We had remained at police headquarters until about 1:30 a.m. on the morning of the 24th of November. Then, having

made arrangements with the Associated Press man, who was to be on duty throughout the night, to give us a call immediately if there was any indication that Oswald was going to be moved in the small hours of the morning, we retired and left word at the Hilton Hotel desk and if no other call came through, they were to ring us at 7 a.m.

We were awakened by that call and I was so convinced that the approximate pinpointing by police officials on the day before of the time of Oswald's transfer was a ruse, that my first thought on awakening or on being awakened was that there had been some slip-up in notifying us. Therefore, I immediately tried to call the pressroom at police headquarters. The telephone rang half a dozen times, there was no answer, I got the police department switchboard operator back and asked to be transferred to the homicide department. That call was answered by a man who identified himself quickly as Sergeant so-and-so. I do not recall the name—I'm not even sure I caught it at the time, and in my anxiety to learn the facts, I did not even think to identify myself either by name or organization but simply asked, "Have they moved Oswald yet?" Without asking me who I was, the sergeant replied, "No, sir; that will be in about 2 hours from now."

Mr. HUBERT. That was about 7 o'clock in the morning.

Mr. WALDO. That was within 7 minutes—say, 7:05.

Mr. HUBERT. You said you had an arrangement with the Associated Press man to call you if there was any sign of moving him. May I ask whether that was an individual arrangement that you made or was that made for all newspaper people?

Mr. WALDO. No; at the time we made this—you see, after Chief Curry and Capt. Will Fritz of homicide division had both repeated several times that there would be no further movement or interviewing of the prisoner that day, and they themselves had left the building and all the offices were locked up, only a few of us still thought that there might be something going to take place and remained behind in the pressroom, so that about 1:30 a.m. when the janitors had moved in, and we finally decided for the moment at least, nothing was going to happen, the Associated Press man who was one of us—I'd say there were perhaps six of us at that time in the pressroom, and I'm trying to think of his name—Ray Holcomb [spelling] H-o-l-c-o-m-b.

Mr. HUBERT. Of the Associated Press?

Mr. WALDO. Of the Associated Press, who was then going off duty, volunteered to Johnson and myself, because we had expressed reluctance to leave the pressroom and yet were pretty "bushed" by that time, having had no sleep the night before, he said, "We'll have a man on duty throughout the night and we'll be checking in here regularly. I can let you know the minute anything happens, if you like," and that was the arrangement.

Mr. HUBERT. Was this made with all the people in the pressroom or just made with you two?

Mr. WALDO. I don't recall that anybody else requested such an arrangement or had it made with them.

Mr. HUBERT. Do you know whether all the other people who left before you did had similar arrangements to be called in the event there was a sudden move?

Mr. WALDO. I do not—I did not specifically hear anybody make such arrangements.

Mr. HUBERT. I think you said there was one other place in this report which has been identified as Exhibit No. 1 that you wish to comment upon, and I think it's the last paragraph on page 5. What do you wish to say about that?

Mr. WALDO. Well, it mentions here that "Waldo stated he did not recall seeing Ruby while on the third floor on the night of November 23, 1963, talk to anyone except when handing out his cards." The occasion was not at night. That was in the mid- or late afternoon of that date, November 23. I am not positive of the time but recall it as being approximately 4 p.m.

Mr. HUBERT. But the point is that you did not see him on the night of the 23d?

Mr. WALDO. No, sir; I do not recall seeing Ruby after, oh, let's say, 4:30 to 5 p.m. on Saturday until the events of the following morning.

Mr. HUBERT. And when you did see him on the 23d or around 4 o'clock or

whatever time it was, you did not see him talk to anyone except when he was handing out cards?

Mr. WALDO. No, sir; I did not see him myself talk to anyone. I was told a number of things later by people, fragments of conversation, but of my own knowledge, I cannot testify to that.

Mr. HUBERT. How do you fix the time that you did see him on the afternoon of the 23d?

Mr. WALDO. Only in fact and in truth by recalling that it was 6 or minutes before 6, I believe, about 3 to 4 minutes of 6 when Chief Curry made his announcement that Oswald would be transferred to the county jail by 10 a.m. the following morning, and then thinking back on the time lapse, I would say there was roughly a 2-hour time lapse, remembering the things I did in between the two events, which is close.

Mr. HUBERT. So that it would be fair to say that the last time you saw Ruby up on the third floor of the police building on the 23d was around 4 o'clock in the afternoon?

Mr. WALDO. Well, certainly no later than 5. I saw him—I glimpsed him also apparently passing out cards and giving the same brief line of chatter to several people after myself, and it might have been half an hour afterwards and it might even have been 45 minutes, but no later certainly than 5 p.m.

Mr. HUBERT. And I see that you fixed it by relating it to Chief Curry's announcement and then backing off from that time?

Mr. WALDO. That's correct, sir. I did look at the clock as soon as we received Chief Curry's announcement to know who would be on my desk of the newspaper to receive it and recall that it was 3 to 4 minutes of 6.

Mr. HUBERT. Do you remember seeing Ruby at the jail on Friday afternoon or night?

Mr. WALDO. No, sir; I do not. It is stated in there that I did not.

Mr. HUBERT. Did you know Ruby at all, sir?

Mr. WALDO. No.

Mr. HUBERT. When did you first meet him or meet the man you now know to be Ruby?

Mr. WALDO. Well, if it can be called a meeting, it would be at approximately 2 p.m., Sunday, November the 24th when he was brought down from his seventh floor, I believe it's the seventh floor jail cell to homicide offices on the third floor of Dallas Police Headquarters for interrogation and was led down the corridor from the jail elevator to the office.

Mr. HUBERT. I had reference really to a meeting on the 23d, the day before—Saturday—but apparently you don't classify that as a meeting. I think you saw the man that you ultimately identified as Ruby on the third floor or in the police building on Saturday?

Mr. WALDO. That is correct, sir.

Mr. HUBERT. When did you first see him?

Mr. WALDO. I would say 5 or 10 minutes before he came up and gave me a card. I noticed he was passing out cards and saying something to people. There was such bedlam in the corridor of the third floor with the television apparatus that's in there—unless someone was less than 10 feet from you, you could not hear what was being said.

Mr. HUBERT. In any case, you observed Ruby about 10 minutes before you had any further contact with him?

Mr. WALDO. That's right.

Mr. HUBERT. Was there anything that called your attention to him especially?

Mr. WALDO. Only, I might say, a somewhat aggressive manner. I noticed that he was plucking at somebody's sleeve to turn them around, and a few minutes later, seeing him give that man a card, and then a few minutes—2 or 3 minutes later—seeing him moving closer to where I was, giving out another card—as he gave out the card, giving the man a hearty slap on the arm—although I could not catch the words, I could catch the rather strident tone of his voice, and when he came up to me, although he did not behave in as gratuitously familiar a way in the sense of either clutching at my clothing or patting me, there was still a sort of overdone ingratiating manner as he gave out this card and said, and I'll have to paraphrase it—I cannot remember the exact

words—but it was something to this effect, “You’re one of the boys, aren’t you? Here’s my card with both my clubs on it. Everybody around here knows me. Ask anybody who Jack Ruby is. As soon as you get a chance, I want all of you boys to come over to my place, the one downtown here is more convenient, and have a drink on me. I’ll be seeing you.” That’s approximately it.

Mr. HUBERT. About what time was that?

Mr. WALDO. Approximately 4 o’clock, I would say, again basing it on my memory. I did not have a clock, I did not look at a watch or have a clock in vision at that moment.

Mr. HUBERT. It could have been as late as 5, you think?

Mr. WALDO. It could have been; yes. Time telescoped itself remarkably that day.

Mr. HUBERT. What leeway can you give on the 4 o’clock time the other way, that is, toward 3 p.m.?

Mr. WALDO. Let me think about that a moment. It’s very, very difficult to be even semi-exact about it at this distance. However, I would certainly have to say in all honesty that there could be half to three-quarters of an hour—I could be off—either way.

Mr. HUBERT. Incidentally, I just noticed that on page 4 of the report to the FBI, the very last sentence on that page, the last line, that’s Exhibit No. 1, there is also a reference to the night of November 23, and since you have changed it previously to the afternoon, I would say that that applies to that, too, doesn’t it?

Mr. WALDO. Yes, sir.

Mr. HUBERT. In other words, the last line on page 4 of Exhibit No. 1, where it says “night of November 23” should read “afternoon of November 23” where it’s there and the times would be as we have been discussing?

Mr. WALDO. Exactly.

Mr. HUBERT. You did not see Ruby at any time prior to this occasion you have just described?

Mr. WALDO. Not to recall him; no.

Mr. HUBERT. And you are quite certain that the man who did hand you this card and the man you ultimately came to know as Jack Ruby were the same person?

Mr. WALDO. To the very best of my belief and knowledge. At the time he handed me a card, he was wearing a hat, and when I saw him in the corridor on Sunday the 24th after his arrest he was not wearing a hat, but the man looked to be the same, and as I have stated, when he handed me the card, he identified himself verbally as Jack Ruby.

Mr. HUBERT. You don’t have the card today?

Mr. WALDO. No; unfortunately that seems to have been among several things that have disappeared.

Mr. HUBERT. As far as you know then you would say that Jack Ruby was at the police department approximately an hour or an hour and a half on that afternoon—you can’t tell whether it was more than that, but you would say it was not less?

Mr. WALDO. Yes; that’s true.

Mr. HUBERT. Now, can you tell us anything about the security arrangements or identification arrangements that were in effect throughout the whole period, that is, from the time of the President’s assassination on forward—in the jail, I’m talking about?

Mr. WALDO. In the jail—no, I went directly, as is stated in this transcript, the report, I went directly from the Trade Mart to Dallas Police Headquarters on the afternoon of November 22 within a matter of 30 minutes after we had learned that the President was shot. In fact, I was on the Stemmons Freeway passing the resort motel called “La Cabana” at the moment that the car radio reported the President is dead.

When I arrived at Dallas Police Headquarters, I was the first reporter of any medium, so far as I know, certainly there was no other in evidence—to reach the third floor. No one attempted to stop me or ask for any identification at that time.

Mr. HUBERT. Did you have any identification on your person?

Mr. WALDO. Yes, sir; I had a badge—I have it with me in this book, if it's of any interest to see it, merely identifying "Dallas, November 22, President Kennedy's Visit," which I was wearing on my lapel.

Mr. HUBERT. It was a press identification card in connection with the visit?

Mr. WALDO. That's right, and the offices of the hierarchy of the Dallas Police Department are located on the third floor, were almost deserted, since Chief Curry, Deputy Chief Stevenson and others of the staff had either been assigned to the Presidential motorcade or to the Trade Mart, or in the case of Chief Curry, were invited guests or to have been invited guests at that luncheon. The man who was in the building in the offices, the highest ranking officer to whom I was directed by one of the secretaries, was Capt. Glenn King, who has subsequently been identified to me as in charge of public relations of the Dallas Police Department. I walked into Captain King's office—is this of interest?

Mr. HUBERT. Yes.

Mr. WALDO. I walked into Captain King's office and identified myself by name and newspaper and immediately noticed a fleeting expression on his face, which sometimes we who work in Fort Worth and have dealings with Dallas officials, have come to recognize, most particularly when something has taken place in Dallas which may give unfavorable publicity to that city, and before I could finish my question, Captain King interrupted and very courteously said, "Mr. Waldo, we know absolutely nothing here. We have heard rumors that there were some shots. We do not know where the shots came from or who they were aimed at, if anybody, or if anybody was hit. We don't know anything."

I could not help but assume that this was what in the vernacular might be called a brushoff, since in several open unoccupied offices and within hearing distance as I was speaking to him, there were police radio receivers turned on. Therefore, I had to assume that he sitting there must have been informed of the events.

Mr. HUBERT. And this was approximately at 1:35 or 1:40, wasn't it?

Mr. WALDO. Yes, sir.

Mr. HUBERT. Because you said you heard the announcement of the President's death en route to the police department, and that was at 1:30?

Mr. WALDO. No.

Mr. HUBERT. The announcement of the President's death was at 1:30, was it not?

Mr. WALDO. I thought, and I could be mistaken and I'm sure you're in a better position after all your investigation, I was under the impression that it was earlier than that, that it was approximately 1:25—yes, about 1:30 or 1:35.

Mr. HUBERT. In any case, it had been broadcast over the public radio that the President was dead, at the time you spoke to Captain King and he told you what you just stated?

Mr. WALDO. Yes, sir. I don't believe anything of significance happened between that and the time that I noticed a little flurry of activity. I should say, incidentally, that in the interim, which would be approximately 35 to 40 minutes during which time I was talking to my desk, I might add that the girls in the office were extremely cooperative. One of the girls even said, "Well, you'll want to be in here," the pressroom being at the far end of the third floor corridor from there, "Just use my desk. I'll move away. Use my telephone."

I had talked to my desk at the Star-Telegram, and then I noticed a little flurry of activity, and as I say, during this time several of the high ranking officers, none of whom I knew by name at that time, had come in, and I asked a girl who had been standing with them in Captain King's office, as I recall, just a few minutes, and then came out, "What's going on?" and her answer was, "They found a rifle." I asked, "Where?" and she said, "On the roof of the School Book Depository Building." Of course, I stress this is secondhand information. She is giving it from what she heard from a high ranking official who undoubtedly was told by somebody else. In any case, that information was telephoned to my newspaper and I believe was used in at least one edition. Later it was officially stated, of course, that the rifle had been found on the sixth floor.

I think it is probably worth mentioning that I was present at the time that Officer McDonald and the other detectives brought the man who was subsequently identified to me as Lee Harvey Oswald in. In fact, by then there were

two Dallas radio reporters and I cannot tell you who they were or what they represented. We were moving too fast at that time. Those were the only others. The three of us interviewed Officer McDonald in the hall immediately after he had delivered Oswald into the hands of the people in homicide. In fact, blood was still trickling down McDonald's chin from the cut lip where he said he had been struck by Oswald, and at that time he gave us a version of the capture of Oswald, which was substantially in all details but one as it has subsequently been repeated on numerous occasions, including the sworn testimony at Jack Ruby's murder trial.

The one difference was that at the trial and in other accounts that I have heard, it has been stated that when the house lights in the Texas Theatre were turned up and the officers approached Oswald, that he jumped to his feet, crying, "This is it!" and reached for the gun in his belt. Officer McDonald, at the time of that interview in the hall, moments after he had delivered Oswald into custody, was that what Oswald said when he jumped up was, "It's all over!" That's the only difference.

Mr. HUBERT. I assume that shortly after that the press began to crowd up into the third floor?

Mr. WALDO. They did indeed, sir.

Mr. HUBERT. Not merely the press, but other news media?

Mr. WALDO. And people who were not news media. Access to that third floor for a number of hours thereafter appeared to be enormously easy.

Mr. HUBERT. Can you describe that—I know that you are describing it in that way—a negative way—but to put it this way, were there no guards on the elevators or the other means of access to the third floor for a number of hours?

Mr. WALDO. That's correct, sir; there were not.

Mr. HUBERT. Subsequently there were?

Mr. WALDO. Yes.

Mr. HUBERT. What did the guards do by way of maintaining security?

Mr. WALDO. The elevators in the Dallas Police Department open into a fairly large square area—I say "large" in comparison to the width of the corridor that runs out, and eventually two uniformed, I believed, motorcycle patrolmen were placed in that open space facing the elevators and at least theoretically, and I will explain that in a moment, required identification, meaning press credentials of some sort from anyone who attempted to get off that elevator and into the hall, unless it was naturally someone accompanied by an officer, as in the case of the wife and mother of Lee Oswald and so on.

I personally as late as 8 p.m. that night, and again this is approximate, but I would say about 8 p.m. saw two men get off the elevator and walk right past the guards, neither of them having any badge on and not be challenged or stopped. I believe but I'm not certain that it was one of these two men, who 5 to 10 minutes later, came up where I was standing talking to a European reporter from the "Agence France Press," and asked "What's the latest, what's going on?", which I might add is just not the way a newsman would ask a colleague. In fact, he wouldn't do that.

Mr. HUBERT. Your impression is that those two men were not newspapermen?

Mr. WALDO. My impression is that they were not, and I am certain from my own visual evidence in any case, that they walked out of the elevator past the two guards without being challenged.

Mr. HUBERT. Do you know where they went?

Mr. WALDO. It was impossible to tell. By that time there were 250, probably, people jammed into that corridor.

Mr. HUBERT. What were the circumstances under which the viewing of Oswald in the assembly room on Friday were held?

Mr. WALDO. Well, at what I would judge to be approximately 10 to 10:30 p.m., Captain Fritz and District Attorney Wade came out of the homicide office into the third floor corridor and Captain Fritz, whose voice never carries—he speaks in a hoarse whisper most of the time—tried to say something, and there were immediate shouts of "We can't hear you, we can't hear you" from people only 15 feet away. So then Mr. Wade took over and I was close enough to hear him say that Oswald had been formally charged with the assassination of President Kennedy, but immediately there were cries from people two or three rows,

if that's the word, behind me in this jammed, packed mass, "Henry, we can't hear you. We can't hear you. Can't we hold this some place else?"

He then conferred with Captain Fritz and by then Chief Curry had moved in, maybe Chief Curry was there all the time—I didn't notice him—but the three conferred and then Chief Curry, who can on occasion speak with considerable force and volume, called out and everybody heard this, "All right, we'll set it up in the Police Assembly Hall in the basement for Mr. Wade to make his announcement, if that's what you want?" Or—approximately those words, and then there was another momentary conference between the district attorney and the two police officials, and Chief Curry added, and I am almost certain that no one requested this—it was a voluntary statement on his part, "And I'll have the prisoner brought down for you, too, if you like."

So, immediately there was movement, because the TV people had to start getting their equipment down, all of which of course took a considerable time. I might add first that Curry said, "We can do it in about 20 minutes," but while waiting for the TV cameras to be transferred down and set up properly, it took more than an hour.

Mr. HUBERT. What security measures or identification measures were used to start security as to the assembly room, as to who would go in it?

Mr. WALDO. None whatever that I observed. I myself walked down the stairs, which faced the elevators on the third floor, to the basement. The basement is also the site of the police booking office. People were being brought in or coming in to inquire about relatives, I presume. That seemed to be the general tenor of it, and were not being kept away, and peering curiously into this police assembly room where everything was being set up.

Mr. HUBERT. There were no guards at the entrance of the assembly room?

Mr. WALDO. None that I saw, sir; no.

Mr. HUBERT. So that everybody got into the assembly room who wanted to get in, and Oswald was brought down shortly thereafter?

Mr. WALDO. Yes.

Mr. HUBERT. I understand that the interview was of very short duration?

Mr. WALDO. It was, and it was preceded by a very stern warning from Chief Curry—that any undue movement to crowd in on the prisoner or shove cameras forward or to clamor on furniture, would immediately cause the interview to be cut short and he said, "The prisoner will be taken away and will not be brought back; is that clear?" He said, "I want everybody to stay where he is."

The interview was very brief. The thing that sticks most in my mind, considering the fact that before Oswald was brought down District Attorney Wade had stated in some detail how Oswald was taken before a justice of the peace and formally charged with the assassination of President Kennedy, that when the prisoner in the assembly room was asked, "Why did you kill the President?" He replied, "I haven't killed anyone and no one has even mentioned to me anything about the President except you people."

Mr. HUBERT. Who was it asked him the question, "Why did you kill the President?"

Mr. WALDO. Gosh, I couldn't tell you.

Mr. HUBERT. It was some newsman?

Mr. WALDO. It was a newsman; yes.

Mr. HUBERT. You did not see Ruby in that group?

Mr. WALDO. I did not see Ruby that evening; no, sir. I do recall, but only because it was called to my attention afterward, that at the tail end of the interview, a man with a loud voice was calling to Wade to come over and say something in a microphone, and I do recall distinctly that this voice cut through the din with remarkable stentorian quality, and of course it has been testified at Jack Ruby's trial that this was he, acting for a friend at a radio station who wanted to put a statement by Wade on tape for subsequent broadcast.

Mr. HUBERT. That was while Oswald was still in the room?

Mr. WALDO. No, sir.

Mr. HUBERT. That was after Oswald had left?

Mr. WALDO. Yes.

Mr. HUBERT. What caused the end of the Oswald interview?

Mr. WALDO. As I recall it, following what could have been anywhere from

3 to 5 minutes of questions, Chief Curry stepped forward and said, "That's enough. Take him back."

Mr. HUBERT. Was there any violation of his regulation about crowding and so forth?

Mr. WALDO. Not seriously. There was a little sort of press forward, but not seriously.

Mr. HUBERT. I mean, did he indicate that that's why he was ending the interview?

Mr. WALDO. No.

Mr. HUBERT. Now, turning finally to November 24, I think you've told us how you got down there, and your statement indicates that you were standing on the outside of the building at the Commerce Street entrance?

Mr. WALDO. Yes, sir.

Mr. HUBERT. Along with a number of other newsmen, when a Lieutenant Butler invited the press people into the jail; is that correct?

Mr. WALDO. Yes, sir; with one exception. There was not a number of other newsmen, there were only, as I recall, three of us standing out on that sidewalk at that time.

Mr. HUBERT. You had a press identification on you then?

Mr. WALDO. Yes, sir; and when Butler, and pardon me—let me put this in—the armored vehicle had by that time been backed into the ramp, and there was some comment among the three of us standing on the sidewalk, the curious fact that the vehicle which was too high to go down the ramp, was being left there, when a smaller armored vehicle had been brought at the same time and was parked by the curb. Lieutenant Butler stuck his head out around this vehicle and said, "Come on down." There were two motorcycle policemen who were two of the same policemen who had been standing guard duty on the third floor. They had over the period from the 22d through the 23d, they had several shifts of them. They were two of the same, and as I approached one of them in this comparatively narrow space between the column that forms the frame of the ramp and the side of the vehicle where he was standing, he grinned at me and recognized me immediately and said, "How are you this morning? I know you, but I still have to ask you for your credentials." So, I got out my credentials. I had the badge on, but beyond that he required my Department of Public Safety identification.

Mr. HUBERT. That was even after Lieutenant Butler invited you in?

Mr. WALDO. Yes.

Mr. HUBERT. Had you been seeking to get in prior to that and had been denied?

Mr. WALDO. No.

Mr. HUBERT. It was just that you had arrived at that time?

Mr. WALDO. Well, we had arrived some time earlier and had seen the preparations. I had gone upstairs and checked Chief Curry's office and had been told that it would be half to three-quarters of an hour yet before the prisoner would be removed. This was at the time that I arrived over there on Commerce Street from the hotel, and that everybody would be notified before there was any movement, so since it was a pleasant morning, we were standing out on the sidewalk—the three of us.

Mr. HUBERT. Were you told it was going to be by elevator down into the basement and then through the basement ramps out Commerce Street?

Mr. WALDO. Yes, sir.

Mr. HUBERT. Who told you that, sir?

Mr. WALDO. As I recall it, it was Lieutenant Butler himself, who was on the third floor at the time I went up, and I would like to for whatever it's worth, add something at this point. Lieutenant Butler was since, oh, probably 2:30 on the afternoon of the 22d of November, the man whom I had sought out on every occasion that I wanted to learn something about developments, whenever I could find him, because he was a man of remarkable equanimity, poise, and very cooperative within the authorization that he had, and the first thing—

Mr. HUBERT. You mean he would give you more news than anybody else?

Mr. WALDO. He was more able to understand what was wanted and he was always in on, apparently, on high-level information, and if it was for release, he would be the one who would have it and be most willing apparently to give

it. This is a thing that happens in circumstances like this. A reporter picks out a man, tries him out, and if he finds that he's cooperative the first time, he tries to stick to him, because by that time the official recognizes his face.

Mr. HUBERT. Did you find that other officials were not so cooperative?

Mr. WALDO. I would say, yes, to that with reference to the 22d and part of the 23d. By Saturday afternoon, the 23d, everybody seemed to be pretty accessible and pretty willing to answer questions. What I wanted to say about Lieutenant Butler was that this almost stolid poise, or perhaps phlegmatic poise is a better word, that I had noticed all through even the most hectic times of the 22d and the 23d, appeared to have deserted him completely on the morning of the 24th. He was an extremely nervous man, so nervous that when I was standing asking him a question after I had entered the ramp and gotten down to the basement area, just moments before Oswald was brought down, he was standing profile to me and I noticed his lips trembling as he listened and waited for my answer. It was simply a physical characteristic. I had by then spent enough hours talking to this man so that it struck me as something totally out of character. Now, he may merely have had a bad night.

Mr. HUBERT. At that time, had the movement of Oswald begun or was it known that he was coming?

Mr. WALDO. It was imminent at that time—it was imminent.

Mr. HUBERT. The words, "Here he comes"—those famous words—had not yet been uttered?

Mr. WALDO. No, sir.

Mr. HUBERT. How long prior to the time Oswald was brought down did Butler invite you into the basement?

Mr. WALDO. I'd say the time lapse there was 20 to 25 minutes.

Mr. HUBERT. Did he indicate to you that the time was getting imminent and that you must come in?

Mr. WALDO. That we could come in, that we should come in.

Mr. HUBERT. What did he say to you by way of indicating that the movement was about to take place?

Mr. WALDO. As I recall, when he stuck his head out and around the vehicle and looked to see who was there, he just said, "Come on down now."

Mr. HUBERT. He didn't say that it was imminent, but you construed it as such?

Mr. WALDO. Well, after we had passed the scrutiny at the ramp entrance and continued on down, I followed my custom and immediately sought him out and asked him, "Are they just about ready to move him?" and he said, "I understand he'll be brought down shortly, you'll have notice." By the way, I recall one other minor discrepancy that exists in that report. At this particular time and thought we're talking about now, I believe it even states in that report that when I entered the ramp, there were several police vehicles parked; is that in there?

Mr. HUBERT. Yes; I think it does say that.

Mr. WALDO. That is incorrect.

Mr. HUBERT. On page 3, the last paragraph says, "Waldo said he noticed in the ramp three police cars were parked in a straight line, one behind each other, facing toward Commerce Street."

Mr. WALDO. Yes; that is some misunderstanding on the part of the gentleman who took the transcript. There was no vehicle in the ramp at the time that I entered except the armored vehicle which had been parked right at the mouth of the ramp.

Mr. HUBERT. And behind the armored vehicle, there were none when you went in?

Mr. WALDO. When I first went down. It was approximately 8 to 10 minutes after I had been down in the ramp area, and there were then a hundred or more representatives of news media in that area.

Behind us, and now let me see if I can get this straight—the ramp of course goes from north to south, from Main to Commerce, and for perhaps half its length, one quarter at each end, there is nothing but blank wall on each side of the ramp. For the other half, the middle half, and on the—don't take this down and tell me the direction?

Mr. HUBERT. Well, if it's pertinent we want it.

Mr. WALDO. Well, Main is north of Commerce—right?

Mr. HUBERT. It would be the east.

Mr. WALDO. Yes—but on the west side is the entrance to the building and the jail elevators and so on, and on the east side is a parking—a large submerged parking area, and it was 8 to 10 minutes after I had gotten downstairs when they began what appeared to be at first a quite confused movement—several detectives, plainclothes officers got into police cars parked down there and started to move them, with what appeared, and in fact I commented on this to a colleague, an unnecessary amount of jerking movement, lack of co-ordination so that one almost ran into the other and they were backing and filling and nobody could figure what they were doing with them, and meanwhile Butler, I believe it was, or someone was telling us all to get back out of the way, and finally they maneuvered these three cars into place one behind the other back of the armored vehicle.

Mr. HUBERT. How much time before the shooting did they back the armored car into the Commerce Street entrance?

Mr. WALDO. Oh, that would have been—let's see—I arrived over there about 9:30—10 or shortly thereafter it was that the car was brought in.

Mr. HUBERT. And then you went in at Butler's suggestion or invitation about 25 minutes prior to the shooting?

Mr. WALDO. That's correct.

Mr. HUBERT. And then the cars were moved in behind the armored car about 10 minutes before the shooting?

Mr. WALDO. Yes, sir.

Mr. HUBERT. Did you see a car go out the Main Street entrance around that time?

Mr. WALDO. No, sir; I did not. It could have happened and I didn't see it, but I certainly didn't.

Come to think of it, I don't believe it could have happened without my seeing it, considering the physical setup over there, however, that's not important.

Might I add that at the time that I entered the ramp area, the crowd of people standing along the south side of Commerce Street had grown to about 200. It was maybe 100 when I first arrived there, and this I took to be due to the fact that there appeared to be, from what I heard and cars passing stopped for traffic lights that had their radios on, broadcast announcements every few minutes that Oswald was going to be moved soon.

Mr. HUBERT. Do you know if all those people had been moved over to the opposite side of Commerce Street by the police?

Mr. WALDO. I cannot testify to that. They were all on the opposite side when I arrived there.

Mr. HUBERT. You arrived about 9:30, you say?

Mr. WALDO. About 9:30; yes.

Mr. HUBERT. And of course you went upstairs and so forth in the interval before you went down into the basement?

Mr. WALDO. Yes; but I was not upstairs a matter of more than 10 to 15 minutes before I returned to the same.

Mr. HUBERT. And during the period between 9:30 and approximately 11 or shortly before 11, when you went down into the ramp and excepting the time when you were upstairs, which you say was very slight, you were in the area of the Commerce Street entrance?

Mr. WALDO. Yes, sir.

Mr. HUBERT. Did you see Jack Ruby in that area at anytime?

Mr. WALDO. No.

Mr. HUBERT. Did you notice a large TV—the vans and equipment they used?

Mr. WALDO. Oh, yes; they had been there permanently, I'd say.

Mr. HUBERT. Did you see Ruby or anyone who looked like him hanging around those vans around 10 o'clock or at anytime?

Mr. WALDO. No, sir; I did not.

Mr. HUBERT. I think that's all I have to ask, Mr. Waldo. Is there anything you want to add further, sir?

Mr. WALDO. No; I would simply offer you this, if it's of any interest.

Johnson and I within the week after the events of November 22-24, feeling that it might be of interest, sat down and collaborated on a manuscript which we called, "The Dallas Murders," which was sent to my agent in New York for possible placement. It did not get placed, apparently, because as she informed me of the announcement before she could get it to anyone that the Associated Press and the United Press were going to come out with these books.

I have a copy of that with me, and if it would be of any interest, I would be personally happy to have the Commission have it.

Mr. HUBERT. I do not know if they wish it, but suppose that we note it, and of course it has been noted by the mere fact that you stated it, with the understanding that if it is desired, the general counsel of the Commission or the Commission itself could write to you, I suppose, and you would be willing to send it on. It's a manuscript, as I understand it?

Mr. WALDO. Yes.

Mr. HUBERT. All right, sir. Thank you. I don't think you and I have met before today?

Mr. WALDO. No, sir.

Mr. HUBERT. I don't think we've had any conversation since we've met that has not been recorded, do you agree with that?

Mr. WALDO. Yes, sir.

Mr. HUBERT. Thank you very much indeed.

Mr. WALDO. All right.

TESTIMONY OF CLYDE FRANKLIN GOODSON

The testimony of Clyde Franklin Goodson was taken at 2:45 p.m., on July 14, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Leon D. Hubert, Jr., assistant counsel of the President's Commission. Sam Kelley, assistant attorney general of Texas, was present.

Mr. HUBERT. This is the deposition of Mr. Clyde F. Goodson. Mr. Goodson, my name is Leon Hubert. I am a member of the advisory staff of the general counsel of the President's Commission.

Under the provisions of Executive Order 11130 dated November 29, 1963, and the joint resolution of Congress, No. 137, and the rules of procedure adopted by the President's Commission in conformance with that Executive order and the joint resolution, I have been authorized to take a sworn deposition from you.

I state to you now that the general nature of the Commission's inquiry is to ascertain, evaluate, and report upon the facts relevant to the assassination of President Kennedy and the subsequent violent death of Lee Harvey Oswald.

In particular as to you, Mr. Goodson, the nature of the inquiry today is to determine what facts you know about the death of Oswald and any other pertinent facts you may know about the general inquiry.

Now, Mr. Goodson, I think you have appeared today by virtue of the general request addressed to Chief Curry by Mr. J. Lee Rankin, general counsel on the staff of the President's Commission, asking that he make available for deposition certain officers of the police force, is that correct?

Mr. GOODSON. That is true.

Mr. HUBERT. Under the rules of the Commission, every witness is entitled to a 3-day written notice prior to the taking of their deposition. In this case, of course you have not had that 3-day notice.

But the rules also provide that any witness may waive the notice and proceed to testify without the notice, and I ask you now since you have not received the written notice, whether you are willing to waive the notice and proceed to testify now?

Mr. GOODSON. I am.

Mr. HUBERT. Will you stand and take the oath?

Do you solemnly swear that the testimony you are about to give in this matter will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. GOODSON. I do.

Mr. HUBERT. State your full name, please.

Mr. GOODSON. Clyde Franklin Goodson.

Mr. HUBERT. What is your address?

Mr. GOODSON. 6529 Oleta Dr.

Mr. HUBERT. What is your occupation?

Mr. GOODSON. A policeman for the city of Dallas.

Mr. HUBERT. How long have you been so occupied?

Mr. GOODSON. About 7½ years.

Mr. HUBERT. How old are you?

Mr. GOODSON. Twenty-nine.

Mr. HUBERT. Mr. Goodson, I have just a moment ago handed to you a report of an interview of you by FBI Agent Vincent Drain, dated June 18, 1964, consisting of one page, which I have marked for the purpose of identification on the right-hand margin as follows:

"Dallas, Tex., July 14, 1964, Exhibit No. 1, deposition of Clyde F. Goodson," under which I have written my name.

Have you read this document, sir?

Mr. GOODSON. I have.

Mr. HUBERT. Does that correctly state the entire contents of the interview and the substance of the interview?

Mr. GOODSON. Yes.

Mr. HUBERT. Are the facts stated therein, so far as you remember, correct?

Mr. GOODSON. Yes.

Mr. HUBERT. How long had you known Jack Ruby prior to November 22, 1963?

Mr. GOODSON. I would say the first time I saw him was approximately 5 years ago.

Mr. HUBERT. How did you come to meet him?

Mr. GOODSON. The district that I worked for about 6 years was in the downtown area, and on the edge of the South Dallas area, and by answering calls in that vicinity and routine checks of his place of business.

Mr. HUBERT. You are talking about the Vegas Club?

Mr. GOODSON. The Carousel.

Mr. HUBERT. Did you ever meet him in connection with the Vegas or at the Vegas Club?

Mr. GOODSON. No.

Mr. HUBERT. Did you have any social meetings?

Mr. GOODSON. No.

Mr. HUBERT. Is it correct to say then that the only time you saw him during the past 5 years, which is from the time you first met him, was in connection with some official police business?

Mr. GOODSON. It was; yes.

Mr. HUBERT. How many times during those last 5 years do you suppose you have seen Ruby?

Mr. GOODSON. Oh, I guess just an estimate, six or seven times.

Mr. HUBERT. What was the last time prior to November 22, 1963, that you saw him, do you suppose?

Mr. GOODSON. I would say about 3 months before; 2 or 3 months before.

Mr. HUBERT. Do you remember the occasion?

Mr. GOODSON. Not specifically. I remember 2 or 3 months before then, my partner and I—I don't recall who I was working with at that time—answered a call there on Commerce Street at one of the bars, who was supposed to be drunk and causing a disturbance. They said he left and went next door, which was another small bar, and we went there, and the people said he had been there, but had just left out. So the Carousel was the next place, and we walked in and checked it.

Mr. HUBERT. You were looking for a drunk?

Mr. GOODSON. We were looking for a drunk.

Mr. HUBERT. That had been reported causing a disturbance?

Mr. GOODSON. Yes.

Mr. HUBERT. And you went into the Carousel finally?

Mr. GOODSON. We went into the Carousel.

Mr. HUBERT. You saw Ruby then?

Mr. GOODSON. Yes; he was up there, and I just talked to him for a few minutes, the most I have ever talked to him, and then we left.

Mr. HUBERT. Did he know your name?

Mr. GOODSON. I don't think he did.

Mr. HUBERT. You knew his name?

Mr. GOODSON. Well, I knew him when I saw him; yes.

Mr. HUBERT. Did you know him by name, or merely by sight?

Mr. GOODSON. Well, I knew him by name and by sight. I knew who he was when I saw him.

Mr. HUBERT. Other than the five or six times during the last 5 years that you did see him on official duty, did you see him anytime unofficially in the sense of just walking down the street or passing him or saying hello, or passing the time of day, or something like that?

Mr. GOODSON. No.

Mr. HUBERT. You say you did not go to his club on a social basis?

Mr. GOODSON. No.

Mr. HUBERT. Now I think you were on duty at the entrance of the homicide bureau on the third floor of the Dallas Police Department building starting at 5:30 p.m., is that correct?

Mr. GOODSON. Approximately 5:30.

Mr. HUBERT. Did you come on duty at that time?

Mr. GOODSON. No; I had been on duty all day.

Mr. HUBERT. Had you been up on the third floor prior to 5:30?

Mr. GOODSON. No, sir; I hadn't.

Mr. HUBERT. Where had you been?

Mr. GOODSON. I was working my regular district during the day.

Mr. HUBERT. Where was that?

Mr. GOODSON. It was district No. 103. Starts on the edge of the downtown area and goes south on Corinth Street.

Mr. HUBERT. Prior to 5:30 on November 22 you had no occasion to be in the headquarters building at all?

Mr. GOODSON. No.

Mr. HUBERT. But you were called in to perform some duty there?

Mr. GOODSON. Yes, sir; I was.

Mr. HUBERT. What was that duty?

Mr. GOODSON. They assigned me to work at the door there in the homicide bureau.

Mr. HUBERT. Who assigned you?

Mr. GOODSON. Sergeant Richardson.

Mr. HUBERT. Who?

Mr. GOODSON. Richardson.

Mr. HUBERT. Did he give you any instructions?

Mr. GOODSON. Yes, sir. He told me that I was to stand at the door and to let no one in except police officers that were investigating the case, and FBI, and Secret Service.

Mr. HUBERT. When you say you were to stand there, what did they mean?

Mr. GOODSON. I stood directly in front of the door.

Mr. HUBERT. What door?

Mr. GOODSON. To the homicide bureau.

Mr. HUBERT. Was anyone else with you?

Mr. GOODSON. The officers up and down the hallway, but I don't recall anyone standing right there at the door.

Mr. HUBERT. No one was put in a stationary position such as you were?

Mr. GOODSON. No, sir.

Mr. HUBERT. How long did you stay there?

Mr. GOODSON. I stayed there, oh, to about 7:30 or so; around 7:30.

Mr. HUBERT. Now how did you fix the time that you began that duty at 5:30?

Mr. GOODSON. Well, my regular assignment ended at 3:30, and it was about 4 o'clock before I got over to the city hall, and I was told to report to the detail room where I stayed some 40 minutes, I would say, and then I was assigned up there on the door to the homicide bureau.

Mr. HUBERT. How did you fix the time when you left that detail at 7:30?

Mr. GOODSON. It was just as I recall, it was around 7:30. No specific reason to say that it was exactly 7:30. I don't recall looking at the exact time. We had to check off what time we left.

Mr. HUBERT. Were you told to leave by anyone?

Mr. GOODSON. Yes, sir; I was relieved by another officer.

Mr. HUBERT. Do you remember his name?

Mr. GOODSON. No, sir; I don't.

Mr. HUBERT. Then you were allowed to go home?

Mr. GOODSON. Yes, sir.

Mr. HUBERT. And you did so?

Mr. GOODSON. Yes.

Mr. HUBERT. Now did you see Jack Ruby on the third floor of the Dallas City Jail during the period 5:30 to 7:30 when you were standing guard before the homicide bureau door?

Mr. GOODSON. No; I did not.

Mr. HUBERT. Now I think you have mentioned that you, about 6 p.m., saw a man that you thought resembled Jack Ruby?

Mr. GOODSON. Well, I didn't say he resembled Jack Ruby. I said that possibly someone would mistake him for Jack Ruby.

Mr. HUBERT. You said that that was about 6 o'clock?

Mr. GOODSON. Approximately. Just estimating from the time I had been there until the time this person came up.

Mr. HUBERT. Now this person that you referred to is the one I think you say that fitted the description of Jack Ruby?

Mr. GOODSON. He resembled him some, as far as age and height and so forth.

Mr. HUBERT. What did he do when he came up?

Mr. GOODSON. Well, when he came up there, he was about two-thirds drunk, and he was kind of loud, and he came over to the door and was as though he was going to walk in, and I asked him who he was, and he began asking me what had happened and what was going on and what was being done so far as what had happened, and he said that he wanted inside, and I asked him who he was, and he said he was with a newspaperman from the White House press, and he never did show me any identification.

Mr. HUBERT. He did show you?

Mr. GOODSON. He did not. I told him that he would have to wait in the hallway with the other news people.

Mr. HUBERT. Now were you aware that they were checking the people on the third floor for identification as news people?

Mr. GOODSON. Well, I didn't know whether they were or not. They had some officers assigned there at the elevator and the stairway. I don't know what their job was.

Mr. HUBERT. Did you call attention to anyone that this man you have just described had attempted to get into the office, and that he was in what you considered to be a drunken condition, or semidrunken condition?

Mr. GOODSON. No; I did not.

Mr. HUBERT. Did he just go away then?

Mr. GOODSON. Well, he stood around there for quite awhile talking to the other newsmen.

Mr. HUBERT. Was he passing out cards or anything of that sort?

Mr. GOODSON. Not that I saw.

Mr. HUBERT. How was he dressed, do you remember?

Mr. GOODSON. He had on a suit and dark-colored—

Mr. HUBERT. Hat?

Mr. GOODSON. No; he didn't have on a hat. Wore glasses. His hair was dark, but it had a lot of gray around the temples, around the edge of his hairline.

Mr. HUBERT. As I understand it, you are positive that that man was not Jack Ruby?

Mr. GOODSON. This person was not Jack Ruby.

Mr. HUBERT. What was there about him that you thought made him fit the description of Jack Ruby?

Mr. GOODSON. He was approximately the same age and same height and built the same way.

Mr. HUBERT. Same hair?

Mr. GOODSON. Well, I don't believe Ruby would have as much gray in his hair as he had.

Mr. HUBERT. Were you on duty any day after the 22d?

Mr. GOODSON. Was I on duty, you mean?

Mr. HUBERT. At the city hall, at the Dallas Police Department?

Mr. GOODSON. On the door up there of the homicide bureau?

Mr. HUBERT. Or any place?

Mr. GOODSON. Yes, sir; I was. That was on a Saturday, I believe. I was off Sunday and Monday, and I came back the next Tuesday.

Mr. HUBERT. Well now, the days where you were posted at the door before homicide bureau, was that on the 22d or 23d?

Mr. GOODSON. It was on the 22d.

Mr. HUBERT. Well, on the 23d were you on duty that Saturday?

Mr. GOODSON. I was off Sunday and Monday. That was on a Saturday, the 23d?

Mr. HUBERT. Yes.

Mr. GOODSON. I was on duty then.

Mr. HUBERT. Where were you on duty? At headquarters?

Mr. GOODSON. No, sir; I was working my regular district.

Mr. HUBERT. You did not see Jack Ruby during any time on the 22d, 23d, or 24th?

Mr. GOODSON. No, sir.

Mr. HUBERT. Do you know Detective Sandy Standifer?

Mr. GOODSON. Not that I recall; no.

Mr. HUBERT. Did you report to anyone that you had seen a man that fit the description of Jack Ruby, as you have stated, at the time and place that you have stated? But that he was not Jack Ruby? Other than the statement to the FBI?

Mr. GOODSON. No.

Mr. HUBERT. Have you heard that there are reports that Jack Ruby did attempt to get into the homicide office?

Mr. GOODSON. Just rumors is all I have heard of it.

Mr. HUBERT. Have you made any report to anyone concerning your seeing this man who fit the description of Jack Ruby, but it was not he?

Mr. GOODSON. I don't think he fit the description of him close enough that anyone that knew him or had seen him before—I don't believe he fit the description close enough to assume that that was him.

That is the only person I could think of that would even come close to resembling him, would be up there that I saw there.

Mr. HUBERT. That is, that anyone that knew Jack Ruby at all would know immediately that this man was not Jack Ruby?

Mr. GOODSON. Yes, sir.

Mr. HUBERT. All right, sir, I think that is all. Can you think of anything that we have discussed off the record? I don't believe there have been any off-the-record discussion that has not been made a part of this deposition.

Mr. GOODSON. No; not that I can think of.

Mr. HUBERT. All right, sir, thank you very much for coming down.

TESTIMONY OF RONALD LEE JENKINS

The testimony of Ronald Lee Jenkins was taken at 1 p.m. on July 14, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Leon D. Hubert, Jr., assistant counsel of the President's Commission. Sam Kelley, assistant attorney general of Texas, was present.

Mr. HUBERT. This is the deposition of Ronald L. Jenkins. Mr. Jenkins, my name is Leon Hubert. I am a member of the advisory staff of the President's Commission.

Under the provisions of Executive Order 11130 dated November 29, 1963 and the joint resolution of Congress No. 137, and the rules of procedure adopted by the President's Commission in conformance with that Executive order and the joint resolution, I have been authorized to take a sworn deposition from you.

I state to you now that the general nature of the Commission's inquiry is to ascertain, evaluate, and report upon the facts relevant to the assassination of President Kennedy and the subsequent violent death of Lee Harvey Oswald.

In particular as to you, Mr. Jenkins, the matter of the inquiry today is to determine what facts you know about the death of Oswald and any other pertinent facts you may know about the general inquiry.

Now Mr. Jenkins, you appear here today by virtue of a letter addressed to you by Mr. J. Lee Rankin, general counsel on the staff of the President's Commission, asking you to appear before me to take your deposition, is that correct?

Mr. JENKINS. That is correct.

Mr. HUBERT. Do you remember when you received that letter, sir?

Mr. JENKINS. The latter part of last week. I don't know which day, exactly.

Mr. HUBERT. Would it have been Friday, or earlier?

Mr. JENKINS. I believe earlier. I believe it was July 10 or earlier.

Mr. HUBERT. Will you stand and raise your right hand? Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. JENKINS. I do.

Mr. HUBERT. Will you state your full name?

Mr. JENKINS. Ronald Lee Jenkins.

Mr. HUBERT. And your address?

Mr. JENKINS. 1048 South Bryan, Mesquite, Tex.

Mr. HUBERT. How old are you, sir?

Mr. JENKINS. Twenty-seven.

Mr. HUBERT. What is your occupation?

Mr. JENKINS. A news editor for KBOX Radio, Dallas, Tex.

Mr. HUBERT. Have you been connected with that station for very long?

Mr. JENKINS. I have been connected with KBOX since the 1st of August of 1963.

Mr. HUBERT. What was your occupation prior to that time?

Mr. JENKINS. I was news director at KAYC at Beaumont, Tex.

Mr. HUBERT. How long were you with that organization?

Mr. JENKINS. Fourteen months.

Mr. HUBERT. Then prior to that, what was your occupation?

Mr. JENKINS. Three and a half years, U.S. Army News Corps to the American Forces Network.

Mr. HUBERT. Honorable discharge?

Mr. JENKINS. Yes, sir.

Mr. HUBERT. Now, Mr. Jenkins, I have previously handed you, and I think you have read a document which purports to be a report of an interview of you by Special FBI Agents Edmond Hardin and Robert J. Wilkinson on December 10, 1963, the document consisting of three pages.

For the purpose of identification, I have marked the first page as follows, to wit: In the right-hand margin, "Dallas, Texas, July 14, 1964, Exhibit No. 1, deposition of Ronald L. Jenkins," under which I have signed my name, and I have placed my initials in the lower right-hand corner of the second and third pages.

Now I ask you again whether or not you have had an opportunity to read this document, Exhibit No. 1?

Mr. JENKINS. I have.

Mr. HUBERT. I ask you now whether or not this document represents a fair statement and correct statement of the interview and of the facts stated therein?

Mr. JENKINS. Except for the first paragraph.

Mr. HUBERT. I noticed you made a little mark as to the third paragraph on page 1.

Mr. JENKINS. Yes.

Mr. HUBERT. In which reference is made to your participation in the coverage of the President Kennedy tour with a certain David King of UPI, Dallas. I think it is as to that that you wish to address yourself?

Mr. JENKINS. That is correct.

Mr. HUBERT. What have you to say about that?

Mr. JENKINS. I have not associated, nor did I know David King or anyone by that name. In fact, I still don't. At that time we did have a new editor by the name of Karl King, and he was our anchor man. He was the new man on the air at the time the assassination occurred.

Mr. HUBERT. Was he with UPI?

Mr. JENKINS. Following the assassination, he was relieved from KBOX and subsequently he went to work part time with UPI as an audio man. He is now employed as a newsman with WBAP Television in Fort Worth. This is the only Mr. King that I have had any close dealings with at all.

Mr. HUBERT. Now other than that correction in Exhibit No. 1, have you any other corrections to make?

Mr. JENKINS. No; I do not.

Mr. HUBERT. About any part of it?

Mr. JENKINS. No corrections.

Mr. HUBERT. I do know, however, that on page 3 in the third paragraph apparently on the original, the name Robert Thompson has been scratched and the name James Robert Thornton has been written above that.

Mr. JENKINS. Yes, sir.

Mr. HUBERT. Is the name James Robert Thornton correct?

Mr. JENKINS. I do not know the man's real name. I only know him by the name of Bob Thornton, and he is with FAA Radio, and I believe television too.

Mr. HUBERT. In any case, it was not Robert Thompson?

Mr. JENKINS. No, sir; it was not.

Mr. HUBERT. Now you state in Exhibit No. 1 that you saw Jack Ruby, I believe, on November 22 on the third floor of the Dallas police station between the hours of 5:30 to 7:30 p.m. Did you know Ruby prior to November 22, 1963?

Mr. JENKINS. No; I did not.

Mr. HUBERT. Had you ever seen him at all?

Mr. JENKINS. No; I hadn't.

Mr. HUBERT. Did you know of his existence?

Mr. JENKINS. No.

Mr. HUBERT. Now apparently later you identified Ruby as a man that you had seen on the third floor on November 22, and I ask you now how you identified the man that you saw on the 22d as Jack Ruby whom you did not know on the 22d?

Mr. JENKINS. I don't think I ever have said that I saw him for sure and could identify him for sure. It was strictly by recall. I was able to see him in person, I believe it was, on the afternoon of the Oswald shooting. I think that was the 24th.

Mr. HUBERT. Where did you see him then?

Mr. JENKINS. Just outside Capt. Will Fritz' office in the Dallas Police Department. He was being brought down from, I would suppose, the city jail, brought down the corridor past the gathering of newsmen, and I was one of the few who managed to just have been standing outside of Captain Fritz' office door, and he passed within a few feet of me. He was very familiar, and the face was familiar, and it just seemed to me that I had seen the man on the Friday night previous. This was the first thing that struck me when I did see him, because I had not seen him following the Oswald shooting up until that moment.

Mr. HUBERT. Is it a fact that immediately upon seeing him under the circumstances and the time and conditions that you stated, that you had the mental reaction that you had seen this man before?

Mr. JENKINS. Yes; that is correct.

Mr. HUBERT. Did you at that time associate him with the man you had seen on the 22d?

Mr. JENKINS. Yes; I did.

Mr. HUBERT. Immediately?

Mr. JENKINS. Well, it was a matter of a few minutes. I was trying to think where I had seen him before, and then it occurred to me that I had seen him in the hallway near the elevator shaft of the third floor on the evening of the assassination.

Mr. HUBERT. I think you said also that you saw him later that Friday night at the time in the assembly room?

Mr. JENKINS. Yes, sir.

Mr. HUBERT. I take it you were in the assembly room?

Mr. JENKINS. Yes, sir.

Mr. HUBERT. And that you did see a man whom you now think was Jack Ruby in that room?

Mr. JENKINS. I am quite sure it seemed to me it was the same man.

Mr. HUBERT. When you saw him on the 24th under the conditions that you stated and after reflection, did you also think that the Jack Ruby you saw on the 24th was also the man you had seen in the assembly room?

Mr. JENKINS. I was more sure than I was not that this was the same man, but again, I had not seen him before, and this was strictly by recall.

Mr. HUBERT. I am trying to probe your intellectual processes on the 24th, and as I gather it, on the 24th when you first saw him, your intellectual processes were that "I have seen this man," and then upon searching your memory, you related it to the man you had seen on two different occasions on Friday, the 22d? That is to say, in the hall in the early part of the afternoon, and then later in the assembly room, is that correct?

Mr. JENKINS. That is correct.

Mr. HUBERT. Do you think that the man you saw earlier in the evening on the third floor was the same man that you saw in the assembly room?

Mr. JENKINS. Yes; I think so.

Mr. HUBERT. And you think that Jack Ruby was that man on both occasions?

Mr. JENKINS. In my opinion, it was the same man.

Mr. HUBERT. It might have been?

Mr. JENKINS. In my opinion, it was the same man; yes, sir.

Mr. HUBERT. How was he dressed on the first occasion that you saw him? That is to say, the early part of the afternoon and evening?

Mr. JENKINS. The only thing that I can recall is that the man had on what could have been an overcoat or a topcoat. It was a long coat of some sort. It seemed it might have been of a brown or lighter brown or dark gray color, and it was definitely an overcoat. It seemed to be some sort of trench coat, or not a long coat.

Mr. HUBERT. Did he have a hat?

Mr. JENKINS. No hat.

Mr. HUBERT. Do you remember what his hair looked like?

Mr. JENKINS. No.

Mr. HUBERT. Was he slightly bald?

Mr. JENKINS. I really don't remember, except it was dark.

Mr. HUBERT. Slightly bald?

Mr. JENKINS. I can't even positively recall at this moment whether I noticed whether it was slightly bald or not. I have had too many occasions to see Mr. Ruby since that time, and of course now implication of many pictures is entering in, so I can't honestly say that I can recall exactly what he did look like that evening. But the facial features are the same.

Mr. HUBERT. Now you did see Ruby again after the 24th?

Mr. JENKINS. Oh, yes.

Mr. HUBERT. I take it that that was in the court?

Mr. JENKINS. In the trial, and in the hearing. Of course pictures in the paper many times.

Mr. HUBERT. Is it still your belief then from the other opportunities you had to see Ruby, that the man you saw on the two occasions on the 22d was Jack Ruby?

Mr. JENKINS. Yes, sir.

Mr. HUBERT. Now in regard to the first occasion, you stated in the document which has been identified as Exhibit No. 1, that you thought you saw him be-

tween 5:30 and 7:30 p.m. on the third floor of the Dallas City Jail. Can you tell us why you fix those times?

Mr. JENKINS. Well, at 5:30 I had made a report, a telephone report to the station on what was going on at the police station. I had arrived somewhere around 4 o'clock, and a local colleague was already there. I arrived with Jerry Gunkle, who was ordinarily an announcer, but he was filling in as a newsman because of the situation that afternoon. About 5:30 I made a report and asked what time it was, and was told it was 5:30, and the next time that I can recall realizing what time it was, was 7:30 in the evening, due to interviewing people, talking to police officers, trying to get stories, and trying to feed them either to the station or to my control hopper down there.

Mr. HUBERT. What makes you fix this 7:30 hour?

Mr. JENKINS. The same reason. I called the station again and checked what time it was.

Mr. HUBERT. Now then, you think it was between those two time checks that you saw Ruby?

Mr. JENKINS. I would not state it as a fact. I believe it was. I am not positive that it was between those two times, but those are the times that I do recall for that particular afternoon and evening.

Mr. HUBERT. You first went down at 4 o'clock?

Mr. JENKINS. Yes, sir.

Mr. HUBERT. So it could not have been earlier than 4?

Mr. JENKINS. No; it could not have been.

Mr. HUBERT. Did you ever leave the third floor? When did you leave the third floor?

Mr. JENKINS. I can't give you an exact time. My reason for leaving the third floor was to go down to the basement assembly room to view Oswald. I believe it was after midnight, if I am not mistaken; it was after midnight.

Mr. HUBERT. Did you leave the third floor at any time during the period between 4 p.m. until you went down to the assembly room?

Mr. JENKINS. No; I did not.

Mr. HUBERT. Then I would ask you why it is that you have stated that you think it is between 5:30 and 7:30 that you saw Ruby there?

Mr. JENKINS. Well, it was earlier in the evening, I am quite sure of that, because I know I spent quite a few hours after 7:30 mainly in the auto theft department, which is just outside the pressroom, and in the pressroom itself. I was talking to officers there. I was doing some phone calling from in there. Most of the pressroom phones were busy all evening long, and I have some friends in the auto theft department. I don't know them by name exactly, but I have had contact with them, and it turned out this became my best source of information as a newsman was just to more or less stay in there and make interoffice calls from time to time on their telephone. I found out I could find out more that way because there wasn't a lot of commotion. It was close to Chief Curry's office and the homicide office.

Mr. HUBERT. Well, there was quite a crowd on the third floor, as I understand?

Mr. JENKINS. It was packed.

Mr. HUBERT. Do you recall what Ruby was doing when you saw him?

Mr. JENKINS. The only thing I can recall is, he was talking to somebody. I would suppose a newsman, I don't know. I don't know who he was talking to.

Mr. HUBERT. Was there anything that directed your attention to him particularly?

Mr. JENKINS. Only that there were very few people around the elevator shaft. Most of them were gathered around the cameras that were set up right in the intersection, and then slightly past as you get off of the elevator, and most of the newsmen were just lined two and three deep down the hallway back toward the homicide department as you go left coming off the elevator, and also were gathered around the cameras there talking, and at that moment I was going by. There were only two people, this man who I believe to be Ruby, and another man, a taller man, and I can't really describe what he looked like.

Mr. HUBERT. Was he in uniform or civilian clothes?

Mr. JENKINS. No; in civilian clothes.

Mr. HUBERT. I am talking about the other man.

Mr. JENKINS. Yes; seems to me a dark suit, but everybody was wearing dark suits.

Mr. HUBERT. Did he have a hat on?

Mr. JENKINS. No.

Mr. HUBERT. But you don't know who that was?

Mr. JENKINS. No.

Mr. HUBERT. How close to the elevator shaft was Ruby and the other man?

Mr. JENKINS. Well, they were along the wall near, I believe, the women's restroom, about halfway from the elevator door to the corridor, to the cross corridor I mean. I would say probably about 7 feet, maybe.

Mr. HUBERT. Was any policeman at that time guarding or checking identification at the elevator door or at the staircase?

Mr. JENKINS. No; not to my recollection. Of course I didn't go down.

Mr. HUBERT. I mean when you saw Ruby talking to this other man or the man you believe to be talking to the other man, were there also policemen there?

Mr. JENKINS. Not in that immediate vicinity. Not that I recall; no.

Mr. HUBERT. Was that the only time you saw him at the early part of the afternoon?

Mr. JENKINS. Yes; that's right. At the moment, I was on the way down to the snackbar to get a cup of coffee.

Mr. HUBERT. Would that help you fix the time?

Mr. JENKINS. I don't think so; not exactly.

Mr. HUBERT. Did you have any supper that night?

Mr. JENKINS. Yes; I did. I had a hamburger. I had a cold one. It was left over from somewhere. Quite a few had been brought up, I think, and I was with Lieutenant May of the auto theft department, and he offered me a hamburger. This was considerably later. I would say probably 10 or 11 o'clock, I don't know. And he offered me a hamburger, and it was left over, and I took it.

Mr. HUBERT. Where was the snackbar?

Mr. JENKINS. It is as you go up into the third floor, go toward the Chief's office and the dispatch office.

Mr. HUBERT. You didn't have to leave the floor?

Mr. JENKINS. No; in fact, it was right beside that intersection which I have been telling you about.

Mr. HUBERT. When you came back from getting the coffee, did you observe Ruby there?

Mr. JENKINS. I didn't look. I went straight back through. I was going back to talk to my colleagues to see if there was anything else they found out.

Mr. HUBERT. Do you recall whether you had more than one cup of coffee that day?

Mr. JENKINS. Yes; considerably more than one cup.

Mr. HUBERT. Was it dark when you saw him, do you know? Dark outside?

Mr. JENKINS. I couldn't say. There was not a window in the area. I could not tie that in with any part of the observation.

Mr. HUBERT. Well, let's get at it this way. You came on at 4 o'clock?

Mr. JENKINS. Yes.

Mr. HUBERT. You have fixed the earliest time apparently that you could have seen him at 5:30, and the latest at 7:30, which seems that you saw him not sooner than an hour and a half after you came on, and not later than 3½ hours after you came on. Using these relative time measures, does that assist you in fixing the time? For example, would you be willing to state that you did not see Ruby sooner than an hour and a half after you came on duty?

Mr. JENKINS. Yes; I think definitely I would state that, because for about the first hour and a half, perhaps even 2 hours, I stayed primarily in the pressroom. I was doing the main part of phone reports to the station, because we had a phone and were trying to keep it, and also we were trying to keep a running account of what was happening. This is strictly now an estimate of time. As I say, I only recall asking the time twice, and I don't ever recall looking at

the clock or at my watch until about the time we were ready to go home. It seems like it was 1:15 or 1:30.

Mr. HUBERT. You say when you went to get the coffee it was after you had made the 5:30 check of time?

Mr. JENKINS. Oh, yes; definitely.

Mr. HUBERT. How much after?

Mr. JENKINS. That would be next to impossible to say. It could have been half an hour or 45 minutes, perhaps.

Mr. HUBERT. And it could have been as long as 2 hours afterward, which would have fixed the time of seeing Ruby at 7:30?

Mr. JENKINS. Could have been; yes. I think it was before the 7:30 time, because it just seems like it was, as I remember, before the 7:30 check.

Mr. HUBERT. In other words, it was sooner than 3½ hours after you came on duty?

Mr. JENKINS. Yes; I would say that is a safe estimate.

Mr. HUBERT. So that really, the best you can do for us in between 5:30 and 7:30, but you feel fairly certain that those limits at least are accurate?

Mr. JENKINS. Yes, sir.

Mr. HUBERT. You say that Ruby was not carrying anything when you saw him at the first occasion; right?

Mr. JENKINS. I don't recall him carrying anything at all. I don't remember anything in his hands, as a matter of fact.

Mr. HUBERT. Later that day you went to the press conference, whatever time that was?

Mr. JENKINS. Yes, sir.

Mr. HUBERT. When you were in the assembly room, did you see Jack Ruby in the assembly room?

Mr. JENKINS. Yes, sir.

Mr. HUBERT. When you saw Jack Ruby in the assembly room, did you have the mental impression that you had seen that man earlier that day?

Mr. JENKINS. No; I did not.

Mr. HUBERT. It was only later that you related the two occasions that you saw the man you believed to be Jack Ruby?

Mr. JENKINS. Yes, sir; that's correct.

Mr. HUBERT. In other words, when you saw Jack Ruby in the assembly room, you did not go through the mental process of saying, "Oh, this is the man I saw earlier"?

Mr. JENKINS. No; I did not.

Mr. HUBERT. Was he dressed differently at that time?

Mr. JENKINS. The man I saw then had on what appeared to be a checked sportcoat.

Mr. HUBERT. Did he have a hat?

Mr. JENKINS. No that. I noticed he was rather light complexioned; and dark hair.

Mr. HUBERT. Did he do or say anything that directed your attention to him?

Mr. JENKINS. Yes. The exact words, I don't recall. I was stationed just inside the door behind the television camera, and this was in front of the cables and closer to the door than most of the newsmen, and I got there on purpose, because Pate and Kunkle were sitting on the floor directly in front of the desk where we figured Henry Wade was going to make his presentation, or whoever was going to speak about Oswald, and also was right in front of the lineup screen. So I stationed myself near the door so I could break first while they were getting tape recordings and interviews, whatever was necessary.

The room was not filled yet with newsmen, but that man whose remark caught my attention, was standing to my left and behind me on a table, and he had a small pad perhaps like a spiral pad in his hand, and there was a girl news correspondent—who she was or who she worked for, I don't know—but he said something to the effect that "Come on up here with me, it will be easier for you to see what is going on. Come on up here. There is room. You won't have to fight the crowd." Something to this effect. I can't give any direct quotes, because it was just something in passing, but I did notice him at the

time, and it seems to me the man was smiling at the time and put his hand down to help the girl get up.

Mr. HUBERT. That is the man you believe to be Jack Ruby?

Mr. JENKINS. That is the man I believe to be Jack Ruby. In fact, I am more sure of this than of the first person whom I think was Jack Ruby. The image is a lot clearer in my mind.

Mr. HUBERT. Did you hear him say anything else?

Mr. JENKINS. Not after that. I heard nothing. Paid no more attention to him.

It was just a matter of 2 or 3 minutes before the entire room, front end especially, was jam-packed with cameramen and newsmen.

Mr. HUBERT. This would have been when Oswald came?

Mr. JENKINS. Yes. This was before Oswald came in the room.

Mr. HUBERT. All right, Mr. Jenkins, I don't believe that there has been any conversation between us previous to the beginning of the recordation of this deposition which has not subsequently become a part of the deposition, isn't that correct, sir?

Mr. JENKINS. That is correct.

Mr. HUBERT. Thank you very much, sir.

Mr. JENKINS. All right.

TESTIMONY OF SPEEDY JOHNSON

The testimony of Speedy Johnson was taken at 9 p.m., on July 13, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Leon D. Hubert, Jr., assistant counsel of the President's Commission. Sam Kelley, assistant attorney general of Texas, was present.

Mr. HUBERT. This is the deposition of Mr. Speedy Johnson. Mr. Johnson, my name is Leon Hubert. I am a member of the advisory staff of the general counsel of the President's Commission.

Under the provisions of Executive Order 11130 dated November 29, 1963, and the joint resolution of Congress No. 137, and the rules of procedure adopted by the President's Commission in conformance with that Executive order and the joint resolution, I have been authorized to take a sworn deposition from you.

I state to you now that the general nature of the Commission's inquiry is to ascertain, evaluate, and report upon the facts relevant to the assassination of President Kennedy and the subsequent violent death of Lee Harvey Oswald.

In particular as to you, Mr. Johnson, the nature of the inquiry today is to determine what facts you know about the death of Oswald and any other pertinent facts you may know about the general inquiry.

I think you have appeared here today by virtue of a letter request addressed to you by Mr. J. Lee Rankin, general counsel of the staff of the President's Commission, is that correct?

Mr. JOHNSON. Yes.

Mr. HUBERT. What is the date upon that letter, sir?

Mr. JOHNSON. The date on the letter, or the postmark on the envelope?

Mr. HUBERT. Well, the date on the letter.

Mr. JOHNSON. June 22, 1964.

Mr. HUBERT. It asks you to appear on a date subsequent to that?

Mr. JOHNSON. Subsequent to that, which would be June 26, 1964, at 9:15 p.m.

Mr. HUBERT. It turned out that you were out of the city, or that didn't reach you in time for that deposition?

Mr. JOHNSON. No. As a matter of fact, you are right. It was forwarded to me three times.

Mr. HUBERT. Well, you are appearing here tonight by virtue of that letter?

Mr. JOHNSON. I called when I came back to my headquarters in Houston—Standby One—when I got back.

Mr. HUBERT. All I want to do is this. Under the rules of the Commission, every witness is entitled to a 3-day written notice before their deposition can be taken. That written notice was given to you a long time ago, but it specified a date different from today, you see.

Mr. JOHNSON. Yes.

Mr. HUBERT. So I want to ask you—the rules of the Commission also provide that a person may waive the written notice.

Mr. JOHNSON. I didn't waive it.

Mr. HUBERT. So assuming there is no written notice for you to appear today, assuming that the written notice of June 22 didn't apply to today, I ask you if you are willing to waive the written notice and have your deposition taken now?

Mr. JOHNSON. I do now.

Mr. HUBERT. Are you willing to waive it?

Mr. JOHNSON. Yes, of course.

Mr. HUBERT. All right, will you let me administer the oath? Do you solemnly swear that the testimony you are about to give in this matter will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. JOHNSON. I do.

Mr. HUBERT. Now your name is?

Mr. JOHNSON. Speedy Johnson.

Mr. HUBERT. Speedy Johnson, I understand from what you have told me, sir, that that originally was a nickname?

Mr. JOHNSON. And since have legalized.

Mr. HUBERT. You since have legalized it in the State of Texas and the city of Dallas so that your actual name is Speedy Johnson?

Mr. JOHNSON. Yes.

Mr. HUBERT. Where do you live, sir?

Mr. JOHNSON. Now?

Mr. HUBERT. Yes, sir.

Mr. JOHNSON. 708 Kipling, Houston, Tex., 77006.

Mr. HUBERT. You say to us that you are going to move, so that in case we want to reach you, you will be at another address?

Mr. JOHNSON. Yes.

Mr. HUBERT. Can you give us that address?

Mr. JOHNSON. 4300 Graustark, Houston, Tex., on Friday of this week, which will be the 16th, as I recall.

Mr. HUBERT. The 17th.

Mr. JOHNSON. 17th, yes, sir. The only reason for that is a matter of nicer living quarters and all that jazz.

Mr. HUBERT. Were you in the city of Dallas on November 23, 1963?

Mr. JOHNSON. Yes, sir.

Mr. HUBERT. What was your occupation at that time, sir?

Mr. JOHNSON. Broker.

Mr. HUBERT. What sort of broker?

Mr. JOHNSON. And manufacturers agent.

Mr. HUBERT. Broker for what product?

Mr. JOHNSON. For what product? I have 14 years been a broker for any kind of product so long as it was honest. Aircraft, more specifically.

Mr. HUBERT. I think you mentioned—

Mr. JOHNSON. Manufacturers agent, a sideline.

Mr. HUBERT. What were some of the sidelines?

Mr. JOHNSON. Leather goods; artificial flowers; cutlery; and dishes.

Mr. HUBERT. Did you know Jack Ruby prior to November 23, 1963?

Mr. JOHNSON. I met him one time prior to the 23d of November.

Mr. HUBERT. When was that, approximately? Was it a matter of months, or years?

Mr. JOHNSON. No, sir, months. June or July.

Mr. HUBERT. Of 1963?

Mr. JOHNSON. Of 1963, yes.

Mr. HUBERT. Where did you meet him?

Mr. JOHNSON. At his place of business.

Mr. HUBERT. At the Carousel?

Mr. JOHNSON. At the Carousel.

Mr. HUBERT. Were you a guest there? That is to say, you were a paying customer or guest?

Mr. JOHNSON. Paying customer initially. Turned out he would not let me pay the bill. He paid the bill. In other words, it was \$9 or \$10, as I recall.

Mr. HUBERT. Do you remember the reason why he stated he would pay your bill?

Mr. JOHNSON. No reason. He didn't give me any reason.

Mr. HUBERT. He just said you couldn't pay and didn't want to take your money?

Mr. JOHNSON. Right.

Mr. HUBERT. Were you there alone or with someone else?

Mr. JOHNSON. No; I was by myself.

Mr. HUBERT. Did you talk to him while you were at the club?

Mr. JOHNSON. Very briefly.

Mr. HUBERT. How long did you stay there?

Mr. JOHNSON. Say again?

Mr. HUBERT. How long did you stay there?

Mr. JOHNSON. How long did I stay there?

Mr. HUBERT. At the club that night?

Mr. JOHNSON. Less than an hour.

Mr. HUBERT. Did it seem odd to you that he wouldn't let you pay in view of the fact that you hadn't known him before and that you had not talked to him very much?

Mr. JOHNSON. No, simply because he met me at the door. He shook hands with me at the door and invited me to have a drink. As a matter of fact, took me to the table and he ordered a drink, but the lady brought it over. A lady, I don't know who it was.

Mr. HUBERT. A waitress?

Mr. JOHNSON. The waitress brought the drink to the table. Then he came and sat at the table for perhaps 10 minutes, and that was it.

Mr. HUBERT. Then when it came time to pay, the waitress wouldn't accept your money, or what was the situation?

Mr. JOHNSON. No. When it came time to pay, when I got to the cash register, the lady at the cash register said, "No, it is already paid."

Mr. HUBERT. You said something about \$9 or \$10?

Mr. JOHNSON. Less than \$10. I don't remember; that is a long time ago.

Mr. HUBERT. Were you there about an hour, and how many drinks did you have?

Mr. JOHNSON. Two. But he had a cover charge and a floor show sort of charge thing. I don't remember frankly what the costs were.

Mr. HUBERT. Did you actually take out some money to pay him?

Mr. JOHNSON. Yes, I took out a \$10 bill.

Mr. HUBERT. Do you remember seeing the check?

Mr. JOHNSON. Do I remember seeing the check?

Mr. HUBERT. Was the check brought over to you at the table?

Mr. JOHNSON. Sure. I carried the check from the table to the cash register, yes, sir.

Mr. HUBERT. You saw the check?

Mr. JOHNSON. Yes.

Mr. HUBERT. In what amount was the check for?

Mr. JOHNSON. I don't remember. It was a little more than \$9, but less than \$10.

Mr. HUBERT. You had a couple of drinks and then there was the door charge, I think?

Mr. JOHNSON. Cover charge.

Mr. HUBERT. Cover charge?

Mr. JOHNSON. Right.

Mr. HUBERT. Was anything collected from you as you came in?

Mr. JOHNSON. No.

Mr. HUBERT. Go ahead. Do you remember the itemization of it?

Mr. JOHNSON. No, sir.

Mr. HUBERT. That is the one time you saw him prior to November 23, is that correct?

Mr. JOHNSON. November 23 being what?

Mr. HUBERT. The Saturday after the President was shot.

Mr. JOHNSON. Prior to November 23, negative.

Mr. HUBERT. You had seen him the one time you have described?

Mr. JOHNSON. That was the only time I ever seen him. I knew who he was, and that is the extent of it.

Mr. HUBERT. Did you have occasion to see him on November 23, and where?

Mr. JOHNSON. Did I have occasion to see him; no, sir.

Mr. HUBERT. You did not see Ruby?

Mr. JOHNSON. Yes; I did see him, but you asked me if I had occasion to see him; no.

Mr. HUBERT. Well, you did see him? I didn't mean anything by that.

Mr. JOHNSON. Yes.

Mr. HUBERT. You did see him?

Mr. JOHNSON. Yes.

Mr. HUBERT. Will you tell us the circumstances under which you saw him, and where?

Mr. JOHNSON. The specific address?

Mr. HUBERT. If you don't know the address, we understand that. Just tell us where the place was.

Mr. JOHNSON. OK; on Saturday afternoon about 1:10 or 1:15 or 1:20, the time I cannot be precise about, at Sol's Turf Bar, and Jesus Christ, I think it is in the 1200 block or the 1300 block or something on Commerce, but it is across the street from the Dallas Power & Light Co. That would substantiate it. That would isolate it; I mean.

Mr. HUBERT. You saw him in there?

Mr. JOHNSON. I was having——

Mr. HUBERT. Did you see Jack Ruby on that occasion?

Mr. JOHNSON. Yes, sir.

Mr. HUBERT. Were you with anyone?

Mr. JOHNSON. Yes, sir.

Mr. HUBERT. Who?

Mr. JOHNSON. I was with Charles Busby and I was with Ivan.

Mr. HUBERT. Ivan Monday?

Mr. JOHNSON. Monday, yes; and a couple of other fellows. I can't remember at this point who they were.

Mr. HUBERT. Do you remember a man by the name of Tom Apple?

Mr. JOHNSON. Yes, sir.

Mr. HUBERT. Was he there?

Mr. JOHNSON. He came in.

Mr. HUBERT. So you went into that place at approximately 1:10 or 1:15; about then?

Mr. JOHNSON. Yes, sir.

Mr. HUBERT. You went in with Monday?

Mr. JOHNSON. I didn't go in with him, but he had just gotten there when I got there; yes, sir.

Mr. HUBERT. Do you know Frank Bellochio?

Mr. JOHNSON. Yes.

Mr. HUBERT. Was he there, or did he come in?

Mr. JOHNSON. He came in.

Mr. HUBERT. So that the three of you were together?

Mr. JOHNSON. Three or four.

Mr. HUBERT. Where were you in the bar?

Mr. JOHNSON. Where were we in the bar?

Mr. HUBERT. Yes.

Mr. JOHNSON. Well, we were sitting up at the front end of the bar, which makes a sharp L turn, and I was sitting in the L.

Mr. HUBERT. In the angle?

Mr. JOHNSON. Yes, sir.

Mr. HUBERT. Tell us what happened as to seeing Jack Ruby on that occasion.

Mr. JOHNSON. Standby One [holding up hand].

Mr. HUBERT. Sir; we can't do that. It must go on the record anyhow. If there is anything that is bothering you——

Mr. JOHNSON. This has nothing to do with it, or maybe it does. OK; fine.

On a day which I cannot remember, there was published in the Dallas Morning News a full-page ad signed by some man's name. Whose name, I cannot remember. An open letter to the President.

Mr. HUBERT. All right.

Mr. JOHNSON. In which that full-page ad said 11 things, answers for us, or words to that effect.

Mr. HUBERT. Was the name Bernard Weissman, as you remember?

Mr. JOHNSON. Yes, sir; that is it.

Mr. HUBERT. That was the ad you were talking about?

Mr. JOHNSON. That is the ad I was talking about.

Mr. HUBERT. Now go ahead.

Mr. JOHNSON. All right. As we sat there having a sandwich and a beer, a dentist from upstairs came walking through and stopped behind us. There were four or five of us, Charlie Busby—well, I have mentioned the names. And he heard us talking.

Mr. HUBERT. Do you know the name of the dentist?

Mr. JOHNSON. At the moment; no, sir.

Mr. HUBERT. You do know he was a dentist, though?

Mr. JOHNSON. Yes, sir; I will tell you why in a minute. As we sat talking about the ad that had appeared in the paper, the subsequent assassination of the President the day before, and that sort of thing, the dentist came—he may have been a technician—I think he is a dentist—I am positive he is a dentist, but anyway, he came walking through and stopped and stood behind us and overheard the conversation, and he said, "Hey, I know what you fellows are talking about." And reached up in his smock pocket and pulled out a piece of paper and handed it to me.

I was sitting in the middle of the conversation, so he handed it to me. I unfolded it and discovered it that it was the full-page ad that we were discussing, so I spread it out pretty neatly on the top of the bar as we sat there eating a sandwich and drinking a beer. While we were sitting discussing the ad and its merits and what would happen to it, and who the fellow was that had run the ad, I then heard somebody over my right shoulder say, "Jesus Christ, I have just been down to the Dallas Morning News office and there is no such bastard involved. There is no address in Dallas, and ain't no such person."

Mr. HUBERT. Who made that statement?

Mr. JOHNSON. At that moment, I did not know. And looked around over my shoulder and saw a man standing there.

Mr. HUBERT. Who was that man?

Mr. JOHNSON. That man was the man whom I recognized later by photographs and personal appearance as Jack Ruby.

Mr. HUBERT. You did not recognize him on that occasion as Jack Ruby?

Mr. JOHNSON. Oh, yes.

Mr. HUBERT. You recognized him then from the previous time you had seen him?

Mr. JOHNSON. Yes.

Mr. HUBERT. So that your recognition of him was not based on subsequent pictures you saw of him?

Mr. JOHNSON. No; I saw him then. I wasn't real positive. I was not real positive that it was he. The reason for it being that when I had seen him before, he did not wear spectacles. When I saw him then, he did have on hornrim glasses.

Mr. HUBERT. Did anybody else in your group seem to know him?

Mr. JOHNSON. Yes, sir.

Mr. HUBERT. Who?

Mr. JOHNSON. Ivan spoke to him, and Charlie Busby.

Mr. HUBERT. Did they speak in such a way as to indicate that they knew him, or simply they were replying to his remarks?

Mr. JOHNSON. They were replying to his remarks.

Mr. HUBERT. Did you gather anything from them at that time or later that they knew him prior to that?

Mr. JOHNSON. Negative.

Mr. HUBERT. Now did he show you a Polaroid photograph on that occasion?

Mr. JOHNSON. Yes, sir.

Mr. HUBERT. What were they of; do you remember?

Mr. JOHNSON. Yes, sir.

Mr. HUBERT. Tell us, please.

Mr. JOHNSON. He indicated that he had just returned from the Dallas Morning News office and had discovered that there was no such person registered or had paid for the ad that we were discussing, and he had just returned from the Northwest Highway on Loop 12, is what I am trying to say, where he had taken some Polaroid pictures of a sign that was out there. As a matter of fact, he had taken two or three pictures. I can't remember whether it was two or three.

Mr. HUBERT. He indicated that he just returned from doing that?

Mr. JOHNSON. Yes, sir; that morning.

Mr. HUBERT. On that morning?

Mr. JOHNSON. That morning; yes, sir.

Mr. HUBERT. This was in the early afternoon; this meeting with him?

Mr. JOHNSON. This was at that time about 2 o'clock, I would suggest.

Mr. HUBERT. He said that he had taken those pictures earlier that morning?

Mr. JOHNSON. That is what he said; yes, sir.

Mr. HUBERT. Those pictures, I think, were pictures of a billboard calling for the impeachment of Earl Warren, the Chief Justice?

Mr. JOHNSON. Yes; that is correct.

Mr. HUBERT. What was his general mood or appearance? Was it that of excitement, or was he calm, or nervous, or overwrought, or what?

Mr. JOHNSON. That is like asking a hen in a henhouse would he want to lay or not. He was excited to the point of cursing a little.

Mr. HUBERT. What manifestation of excitement did he give?

Mr. JOHNSON. To the point of being a b-o-r-e, bore. And we turned our conversation between the group of us to disregard him.

Mr. HUBERT. Did he seem to make any connection between the shooting of the President to the Bernard Weissman ad and the impeach Earl Warren sign of which he had photographs?

Mr. JOHNSON. Yes, sir.

Mr. HUBERT. What connection did he make?

Mr. JOHNSON. Well, he said, "We ought to shoot all them son-of-a-bitches."

Mr. HUBERT. Shoot who? Whom was he referring to when he said that, as much as you could gather?

Mr. JOHNSON. Well, with a photograph in his hand, the one that he had taken with a Polaroid, as he showed them to us.

Mr. HUBERT. In other words, he was referring to the people who were responsible for those ads and for posting that sign and for killing the President?

Mr. JOHNSON. Say that again?

Mr. HUBERT. It was his remark that all of those people should be killed? Did that relate to the people that published the Bernard Weissman ad only, as much as you could tell?

Mr. JOHNSON. As much as I could tell; no, sir. "We ought to kill the s.o.b.'s, Warren, and the people that Warren stands for," was his tenor.

Mr. HUBERT. In other words, you gathered from Ruby that he was in favor of the poster which called for the impeachment of Earl Warren?

Mr. JOHNSON. No, sir; directly opposite. Yes.

Mr. HUBERT. He was in favor of?

Mr. JOHNSON. Of shooting Warren; or impeaching Warren, or something.

Mr. HUBERT. That is what I was trying to get out.

Mr. JOHNSON. Yes, sir; I misunderstood you.

Mr. HUBERT. What you could gather, Ruby was in favor of what the sign advocated?

Mr. JOHNSON. Yes; that, and the ad in the paper and what had happened the day before.

Mr. HUBERT. Did he agree with the ad in the paper?

Mr. JOHNSON. Yes, sir.

Mr. HUBERT. Well now, what had he told you about going to the press to talk to them?

Mr. JOHNSON. Say again?

Mr. HUBERT. What had he told you about going to the paper and talking to them about the ad?

Mr. JOHNSON. While he was standing there talking to us over my right shoulder, he told me that, or told us, all of us, that he had been down there and had talked to them, to the editorial staff and everything else.

Mr. HUBERT. What about?

Mr. JOHNSON. About getting rid of the gang in Washington.

Mr. HUBERT. Did he say to you that he had gone down there to remonstrate with the editor for taking such an ad?

Mr. JOHNSON. Yes, sir; he talked about it, and we didn't listen.

Mr. HUBERT. Why would he be fussing, as it were, with the newspaper for taking the ad, if he agreed with it?

Mr. JOHNSON. I don't have any idea. I don't know.

Mr. HUBERT. But your impression was that he had, that he said that he had gone down to find out why the newspaper had taken such an ad?

Mr. JOHNSON. Yes.

Mr. HUBERT. But also your impression was, he agreed with it?

Mr. JOHNSON. Yes, sir.

Mr. HUBERT. Was it your impression also that he agreed with the people who wanted to impeach Earl Warren?

Mr. JOHNSON. Yes, sir.

Mr. HUBERT. Did he seem to be incensed at the criticism of President Kennedy, or to the contrary?

Mr. JOHNSON. Say again?

Mr. HUBERT. Did he appear to be angry of this criticism of President Kennedy, or to the contrary?

Mr. JOHNSON. I very frankly didn't hear him say too much about Kennedy one way or the other, other than he indicated that he felt that it was a malpractice of, what shall we say—

Mr. HUBERT. News ethics, or something of that sort?

Mr. JOHNSON. Yes; and the police protection here, that he should have been assassinated here.

Mr. HUBERT. Well, he seemed to be ashamed of the fact that the President had been shot here?

Mr. JOHNSON. Yes, sir.

Mr. HUBERT. Yet your impression was that he agreed with the criticism of the President?

Mr. JOHNSON. Yes, sir.

Mr. HUBERT. Did he seem to connect the, or mention anything about the possibility that the killing of the President might reflect on the Jewish community?

Mr. JOHNSON. To us or to me that afternoon; no, sir.

Mr. HUBERT. Did he make any comment to the general effect that he was aware about how the assassination of President Kennedy might affect business in Dallas, and more particularly his own business?

Mr. JOHNSON. That I can remember; no, sir.

Mr. HUBERT. Do you remember whether Tom Apple left at anytime so he might not have heard all this conversation?

Mr. JOHNSON. Negative. I don't remember.

Mr. HUBERT. I think you were interviewed at one time by FBI Agent Paul L. Scott on December 6, 1963. Do you remember that?

Mr. JOHNSON. Yes, sir.

Mr. HUBERT. I am going to show you a document which purports to be a report of that interview made by Scott, and I am marking it for identification as follows: "Dallas, Texas, July 13, 1964, Exhibit No. 1, Deposition of Speedy Johnson."

I am marking my name, writing my name below that. It consists of one page only. I would like you to read it, sir.

Mr. JOHNSON (reads Exhibit No. 1).

Mr. HUBERT. Now does that represent a fair report and correct report of the interview that you had with this FBI Agent Scott?

Mr. JOHNSON. Yes, sir.

Mr. HUBERT. This indicates that FBI Agent Scott got the impression from you when he interviewed you that you did not know Ruby at the time.

Mr. JOHNSON. I didn't know him. I still don't know him.

Mr. HUBERT. Well it——

Mr. JOHNSON. As I told initially I had.

Mr. HUBERT. Well, this says that you said that you had not seen Jack Ruby prior to this time, prior to this occasion on November 23, and I take it that you want to correct that statement so that it would reflect that you had seen him on the one previous occasion we were speaking of?

Mr. JOHNSON. On the one previous occasion; yes, sir, but that was a long time before that.

Mr. HUBERT. But in any case, this document which is Exhibit No. 1, is not correct when it says that you said you had not seen Jack Ruby prior to this time.

Mr. JOHNSON. Well, if we go back to infinity, really.

Mr. HUBERT. All I am asking is, this statement seems to contain something that is contradictory to something you said awhile ago, and I am just trying to see which is right.

Mr. JOHNSON. I had met him only one time before, a number of years ago.

Mr. HUBERT. All right, this statement also says that the individual talking about Ruby made other remarks, the exact nature not recalled, indicating that he was highly incensed at the criticism of President Kennedy.

Mr. JOHNSON. Right.

Mr. HUBERT. That is correct?

Mr. JOHNSON. Yes, sir.

Mr. HUBERT. Otherwise, this statement is correct?

Mr. JOHNSON. Yes, sir; that is what I told him.

Mr. HUBERT. All right, Mr. Johnson, is there anything else you wish to add?

Mr. JOHNSON. No, sir; that is all I know.

Mr. HUBERT. I don't think that there has been anything that has passed between us here today that has not been reported by the stenographer?

Mr. JOHNSON. Very good.

Mr. HUBERT. Thank you, Mr. Johnson. Glad you came in.

Mr. JOHNSON. Yes, sir.

TESTIMONY OF ROY E. STANDIFER

The testimony of Roy E. Standifer was taken at 10:45 a.m., on July 14, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Leon D. Hubert, Jr., assistant counsel of the President's Commission. Sam Kelley, assistant attorney general of Texas, was present.

Mr. HUBERT. This is the deposition of Detective Roy E. Standifer. Mr. Standifer, my name is Leon Hubert. I am a member of the advisory staff of the general counsel of the President's Commission.

Under the provisions of Executive Order 11130 dated November 29, 1963, and the joint resolution of Congress, No. 137, and the rules of procedure adopted by the President's Commission in conformance with that Executive order and the joint resolution, I have been authorized to take a sworn deposition from you.

I state to you now that the general nature of the Commission's inquiry is to ascertain, evaluate and report upon the facts relevant to the assassination of President Kennedy and the subsequent violent death of Lee Harvey Oswald.

In particular as to you, Mr. Standifer, the nature of the inquiry today is to determine what facts you know about the death of Oswald and any other pertinent facts you may know about the general inquiry.

Mr. Standifer, I think you appeared today by virtue of a general request made to Chief Curry by Mr. J. Lee Rankin, general counsel on the staff of the President's Commission, in which he requested that certain members of the police department appear to have their deposition taken.

Under the rules adopted by the Commission, every witness has a right to a 3-day written notice prior to the taking of his deposition, which in this case has not occurred.

But the rules also provide that a witness may waive that 3-day notice and testify without it.

Therefore I ask you if you are willing to waive notice and testify now?

Mr. STANDIFER. I will.

Mr. HUBERT. Will you stand and I will administer the oath? Do you solemnly swear that the testimony you are about to give in this matter will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. STANDIFER. I do.

Mr. HUBERT. State your full name.

Mr. STANDIFER. Roy E. Standifer.

Mr. HUBERT. And your address?

Mr. STANDIFER. 550 Wildrose Drive, Dallas, Tex.

Mr. HUBERT. What is your occupation, sir?

Mr. STANDIFER. Detective, police department, city of Dallas.

Mr. HUBERT. How long have you been so occupied?

Mr. STANDIFER. Little better than 19 years.

Mr. HUBERT. How old are you?

Mr. STANDIFER. Forty-four.

Mr. HUBERT. What was your occupation before that?

Mr. STANDIFER. Oh, they have been numerous. I was a construction foreman for a fence company for 5 years. Owned a cafe at one time. Aircraft worker shortly before the war or during the war.

Mr. HUBERT. I take it that most of your adult life has been in the police department?

Mr. STANDIFER. That is true.

Mr. HUBERT. I show you a document consisting of two pages, although the second page is only about a quarter of it occupied with any typing, which purports to be a report of an interview of you by FBI Agent Paul L. Scott, taken on January 13, 1964.

For the purpose of identification, I have marked that document as follows: On the first page in the right-hand margin I have put the following words, "Dallas, Texas, July 14, 1964, Exhibit No. 1, Deposition of Roy E. Standifer," under which I have signed my name.

And on the second page I have placed my initials in the lower right-hand corner.

I think you have had an opportunity a moment ago to read this exhibit, have you not?

Mr. STANDIFER. That is true.

Mr. HUBERT. Which exhibit contains, so far as you know, a correct statement and account of the interview to which it refers?

Mr. STANDIFER. That is true.

Mr. HUBERT. I take it also that the statements made therein by you as recalled by the FBI agent are correct?

Mr. STANDIFER. That is true.

Mr. HUBERT. I understand that you did know Jack Ruby?

Mr. STANDIFER. I did know Jack Ruby; yes.

Mr. HUBERT. For approximately 13 years?

Mr. STANDIFER. Yes, sir.

Mr. HUBERT. How well did you know him?

Mr. STANDIFER. Not too well, really. Only on a professional matter or business dealings. I never was in his place of business socially. I don't drink, I don't dance, and I don't have any business around his place.

Mr. HUBERT. About how many times during the past 13 years do you suppose you met Ruby?

Mr. STANDIFER. I recall twice in his place of business. Once in the Silver Spur on South Ervay, and once at the Vegas Club on Oaklawn, and maybe 3 or 4 times at the city hall.

Mr. HUBERT. The two times that you saw him at the club would have been some years ago?

Mr. STANDIFER. Yes, sir.

Mr. HUBERT. Can you fix any point of time for the three or four times that you saw him at the city hall?

Mr. STANDIFER. The only time that I remember was on the night that the President had been killed. I believe that was on a Friday, was it not?

Mr. HUBERT. Yes, sir; the 22d. But you say you did see him at the city hall two or three times other than on that occasion?

Mr. STANDIFER. Yes, but I have no idea on what dates. He comes down quite often, I understand, visiting officers, and I have seen him just to speak to him or wave at him.

Mr. HUBERT. Would you undertake an estimate of the time you saw him last prior to November 22?

Mr. STANDIFER. I have no idea.

Mr. HUBERT. Would it be more than a year?

Mr. STANDIFER. More than a year. I would say 3 or 4 years.

Mr. HUBERT. You state in the document identified as Exhibit No. 1 that Ruby was well known among the police officers.

Mr. STANDIFER. Yes, that is true.

Mr. HUBERT. Would you elaborate on that as to how you know that to be a fact?

Mr. STANDIFER. By hearing the officers in my division talk, that they had talked to him, and on one occasion prior to the assassination of President Kennedy he was interested in installing a safe, and he had talked to one or two of the officers in our bureau who are familiar with the installation or placement of safes.

He called our office. I am the desk officer. I answered the phone most often. He talked to me asking if I could send a detective to him to show him what would be the best location to install this safe.

Mr. HUBERT. When was that telephone conversation?

Mr. STANDIFER. Oh, that was probably a month before the assassination. I am not real clear on that. I believe he asked for Detective Joe Cody by name, as Joe is familiar with safes.

Mr. HUBERT. What did you tell Ruby?

Mr. STANDIFER. I told him him I would try to locate Joe, or would give him a message that he wanted to talk to him about that safe.

Mr. HUBERT. Did you do so?

Mr. STANDIFER. I wrote a note on an office memo and put in each detective's box when something comes in like that, and I am sure I wrote a note.

Mr. HUBERT. Do you remember whether Cody contacted him?

Mr. STANDIFER. No, sir; I don't.

Mr. HUBERT. Can you tell us what opinion, generally, the members of the police department had of Ruby?

Mr. STANDIFER. Oh, I think maybe they was friendly toward him and they would visit him down to his place for a drink, I understand.

Maybe they would go down there and drink with him occasionally. I don't know. I have never been there with any of them, and I don't know that to be a fact. In all probability, that is what would take place.

Mr. HUBERT. Now I understand you did see him on the third floor of the Dallas Police Department on the night of November 22, 1963?

Mr. STANDIFER. Yes, sir.

Mr. HUBERT. Any question about your recognition of him?

Mr. STANDIFER. No, sir.

Mr. HUBERT. Did you speak to him?

Mr. STANDIFER. Yes, sir.

Mr. HUBERT. What did he say, and what did you say?

Mr. STANDIFER. I just spoke to him and said, "Hi, Jack," and he said, "Hi, Sandy."

A lot of times he called me Sandy. I guess it is short for Standifer, I don't know.

There were three or four other detectives around the door. We had our door blocked off to keep the press from using our phones. We had another detective stationed at the door to keep them out, and he knew Ruby and they were talking, of course, and all the noise, and I don't have any idea what they said. I didn't solicit conversation.

Mr. HUBERT. But so far as your conversation with him was concerned, it was just an exchange of greetings?

Mr. STANDIFER. Yes, sir.

Mr. HUBERT. Does anybody else call you Sandy?

Mr. STANDIFER. No, sir.

Mr. HUBERT. Do you know what officer it was he seemed to be engaged in conversation with?

Mr. STANDIFER. Lieutenant Leonard, and Detective Cal Jones.

Mr. HUBERT. How long did you observe him speaking to those gentlemen?

Mr. STANDIFER. No more than 2 minutes.

Mr. HUBERT. Was that on the same occasion that you greeted him?

Mr. STANDIFER. Yes, simultaneously.

Mr. HUBERT. Can you fix the time of your seeing him?

Mr. STANDIFER. Roughly, 7:30 or 8 o'clock.

Mr. HUBERT. How do you fix it? Because it would be helpful for us to have in the record what that estimate is based on.

Mr. STANDIFER. I know that it was after dark, and I believe along about then darkness set in about 6 or 6:30 that time of year, and I know it was possibly an hour after dark.

Mr. HUBERT. What time had you come on duty?

Mr. STANDIFER. 2:30.

Mr. HUBERT. Do you remember what time you had supper that night?

Mr. STANDIFER. 6:30.

Mr. HUBERT. How do you fix that?

Mr. STANDIFER. I always eat at 6:30. I bring my sack and I eat right in my own office. I never leave the office.

Mr. HUBERT. It is a rather fixed habit that you do eat at 6:30?

Mr. STANDIFER. Fixed habit. You could set your clock.

Mr. HUBERT. Are you willing to state that you did eat this day at 6:30?

Mr. STANDIFER. Yes, sir.

Mr. HUBERT. How long after you had eaten did you see Ruby?

Mr. STANDIFER. Probably thirty minutes after I came back to my desk I noticed that there was someone standing at the door there, several persons backed up against it, and in our office I was just milling back and forth from my desk to the door.

Mr. HUBERT. And it is that time that you saw Ruby?

Mr. STANDIFER. Yes, sir.

Mr. HUBERT. This is on Friday, November 22?

Mr. STANDIFER. Yes.

Mr. HUBERT. All this was on the third floor, as a matter of fact, just outside your office, which is the burglary and theft division?

Mr. STANDIFER. Yes.

Mr. HUBERT. Is that office near Captain Fritz' office?

Mr. STANDIFER. Directly across the hall.

Mr. HUBERT. Did you see Ruby near or by Captain Fritz' office?

Mr. STANDIFER. No, sir. Where he went when he left, I have no idea.

Mr. HUBERT. And you did not see him again that day?

Mr. STANDIFER. No, sir.

Mr. HUBERT. Had you seen him prior to that time on that day?

Mr. STANDIFER. No, sir.

Mr. HUBERT. Did you see him on either the 23d or the 24th at any time, of November?

Mr. STANDIFER. I saw his derby hat on the 24th on television. I was watching television when it occurred.

Mr. HUBERT. But I take it from that, you were not on duty on the 24th?

Mr. STANDIFER. No, sir.

Mr. HUBERT. Were you on duty on the 23d?

Mr. STANDIFER. That Saturday; no, sir. I am off Saturday and Sunday.

Mr. HUBERT. How was he dressed when you saw him?

Mr. STANDIFER. The only thing I could remember, and I am vague about that, I believe he had on a white shirt. He was sleeveless, I believe. I don't believe he even had on a coat. I am not sure. That is how little attention I paid to him.

Mr. HUBERT. But you have no doubt in your mind it was Jack Ruby?

Mr. STANDIFER. No, sir.

Mr. HUBERT. Did you address him first, or he address you first?

Mr. STANDIFER. I don't remember, I sure don't.

Mr. HUBERT. But you in any case used the words, "Hi, Jack"?

Mr. STANDIFER. Yes.

Mr. HUBERT. Did you see him do anything else or say anything else? You have already covered the conversation with the two officers?

Mr. STANDIFER. No, sir.

Mr. HUBERT. Did you see him passing out any cards to anyone?

Mr. STANDIFER. No, sir.

Mr. HUBERT. Did you wonder why he was there?

Mr. STANDIFER. No, sir; it never entered my mind. I figured he was curious like most other people.

Mr. HUBERT. Were you aware of an identification system that was being used to preclude people from coming to the third floor other than authorized news media?

Mr. STANDIFER. No, sir; I had no enforcement on that end of it.

Mr. HUBERT. Well, I wasn't speaking so much of enforcement, but as to whether or not you knew that only police personnel and news media were supposed to be up there, if that is the case?

Mr. STANDIFER. No, sir.

Mr. HUBERT. You didn't know about it?

Mr. STANDIFER. No, sir; I know that the hall was so congested with news media and cameras and recording equipment that I had to send three detectives to the basement to work out our official police business from the jail office rather than the routine coming and going of prisoners and people who wished to come into our office to make a complaint. It was impossible for them to get through.

Mr. HUBERT. Did you observe any identification system being used by the elevators or other means of entry to the third floor of checking?

Mr. STANDIFER. All I know is I had occasion to make one or two trips down to the jail office or to the records bureau, and when I would come back off of the elevator, there would be a reserve officer, I believe, and a uniformed officer.

Of course when the door would open from the elevator, they would be standing there, and they would just give me a casual glance. I knew that they recognized me right off, but I was never challenged or anyone around me was never challenged.

Mr. HUBERT. But you knew that they were there for a purpose?

Mr. STANDIFER. Now whether they were keeping unauthorized personnel out, I don't know. It was never mentioned to me.

Mr. HUBERT. Now this checking situation at the elevator that you just mentioned was on Friday, November the 22d?

Mr. STANDIFER. Yes.

Mr. HUBERT. What time did you go off duty that day?

Mr. STANDIFER. They kept us over an hour. I went off at 12. We are originally due off at 11 p.m., but our captain asked everybody on duty that night to stay an extra hour to see if we could assist anyone. We stayed until 12.

Mr. HUBERT. Did you have occasion to go to the assembly room when Oswald was brought in front of the press?

Mr. STANDIFER. No, sir.

Mr. HUBERT. All right, sir, do you have anything else you wish to say?

Mr. STANDIFER. One thing I might add that wasn't in that interview by Mr. Scott. Maybe it was 5:30 or 6 o'clock, Charlie Brown, the FBI agent, brought Mama Oswald and a young fellow who was identified to me as Oswald's brother, into our office and asked if they could be put into an interrogation room where it was private, and I told him "Yes," and we showed him the room that he could put them in.

And he asked me if I would get them some coffee. The coffee canteen is just down the hall a little bit from Captain Fritz' office. I went to the canteen and brought him and her both back a cup of coffee.

The young fellow said, "You are most kind." And that is the only conversation we had.

Mr. HUBERT. They made no further comments to you at all except to thank you, as it were, for bringing the coffee?

Mr. STANDIFER. That is true.

Mr. HUBERT. All right, sir. Now I don't think there has been any conversation between us this morning or at anytime for that matter, which has not been made a part of this deposition by the reporter; is that correct?

Mr. STANDIFER. That is true.

Mr. HUBERT. All right, thank you very much.

Mr. STANDIFER. That is all right. I am happy to help. If I can help you further, call me.

Mr. HUBERT. Let me ask just one more question. I think, Mr. Standifer, you said that you are most certain about the time that you saw Ruby, because you related it to the time of having your supper, which you said you had in your office and that it is your custom to do so?

Mr. STANDIFER. Yes.

Mr. HUBERT. I think you also used a phrase that that custom is so well established that people could set their clocks by it; is that correct?

Mr. STANDIFER. That is true.

Mr. HUBERT. That has been your habit for quite a number of years?

Mr. STANDIFER. That is true.

Mr. HUBERT. And has always been at 6:30?

Mr. STANDIFER. Yes.

Mr. HUBERT. And you saw Ruby about a half hour after beginning to eat your supper?

Mr. STANDIFER. Approximately; yes, sir.

Mr. HUBERT. All right, sir.

AFFIDAVIT OF ROGER C. WARNER

The following affidavit was executed by Roger C. Warner on August 4, 1964.

PRESIDENT'S COMMISSION
ON THE ASSASSINATION OF
PRESIDENT JOHN F. KENNEDY

AFFIDAVIT

STATE OF TEXAS,
County of Dallas, ss:

My name is Roger C. Warner. I am employed as a Special Agent for the United States Secret Service at Dallas, Texas. I was employed in this position on Nov. 24, 1963. The following is a statement regarding my interview of Karen Lynn Bennett Carlin, aka Little Lynn, on November 24, 1963, and is true and correct to the best of my knowledge:

On November 24, 1963 at the request of Inspector Thomas Kelley, U.S. Secret Service, I met with Karen Lynn Bennett Carlin at 3809 Middlebrook Drive, Ft. Worth, Texas. The time was about 11:00 PM. Also present at the interview was

Bruce Ray Carlin, who was identified by Mrs. Carlin as her husband. Mrs. Carlin related to me facts regarding a \$25 money order sent to her by Jack Ruby on 11-24-63. She also related to me the fact that she had learned that Mr. Dewar, once employed by Jack Ruby, had seen Lee Harvey Oswald in Ruby's night club, the Carousel. Mrs. Carlin stated that she had also vaguely remembered Oswald being at the club, but was by no means sure of that fact, nor of the fact that she had ever seen Oswald.

At the beginning of the above interview Mrs. Carlin was highly agitated and was reluctant to make any statement to me. She stated to me that she was under the impression that Lee Harvey Oswald, Jack Ruby and other individuals unknown to her, were involved in a plot to assassinate President Kennedy and that she would be killed if she gave any information to the authorities. It was only through the aid of her husband that she would give any information at all. She twisted in her chair, stammered in her speech, and seemed on the point of hysteria.

Later, toward the end of the interview, which lasted about 45 minutes, Mrs. Carlin became much calmer. She stated that she had no memory of Oswald whatsoever until she had heard Mr. Dewar's statement repeated on television. Also that she had no information in her possession which indicated that Ruby was involved in a plot to assassinate President Kennedy. She did ask that all information she had related be kept confidential to prevent retaliation against her in case there was a plot afoot. She stated that she did not wish to get involved in the matter at hand.

The information related by Mrs. Carlin was reported by me in a Memorandum Report dated December 12, 1963, from notes I had taken during the interview.

Signed this 4th day of August 1964.

(S) Roger C. Warner,
ROGER C. WARNER.

TESTIMONY OF LAWRENCE V. MEYERS

The testimony of Lawrence V. Meyers was taken at 1:45 p.m., on August 24, 1964, at 200 Maryland Avenue NE., Washington, D.C., by Mr. Burt W. Griffin, assistant counsel of the President's Commission.

Mr. GRIFFIN. I want to introduce myself to you. My name is Burt Griffin and I am a member of the general counsel's staff of the President's Commission on the Assassination of President Kennedy.

It is our practice before asking the witness to be sworn and taking his testimony to give a brief explanation of what the basis for our questioning will be and what generally we intend to go into. As you probably know, the Commission on the assassination was set up pursuant to an Executive order of President Johnson and a joint resolution of Congress. Now, under those two official acts the Commission has been directed to investigate into all the facts surrounding the assassination of President Kennedy and the death of Lee Harvey Oswald, and then to evaluate those facts and report back to President Johnson on the facts that we find.

We have asked you to come here today in particular, Mr. Meyers, because you have known Jack Ruby for some time and you had occasion to talk to him both shortly before the assassination and shortly afterwards, and before he—that is, Ruby, shot Oswald. Under the rules of the Commission, I have been specifically designated to take your deposition. Also under these rules you are entitled to receive 3 days' written notice before being required to testify. I believe that in this case we telephoned you late last week and although a letter was sent to your home which was probably received today—

Mr. MEYERS. Saturday.

Mr. GRIFFIN. Saturday. You have not—we have not actually complied with the 3-day notice requirement, and I will ask you at this point if you are willing to waive that requirement and go forward with the testimony?

Mr. MEYERS. Of course.

Mr. GRIFFIN. Do you have any questions that you want to ask me before we proceed?

Mr. MEYERS. No. I am assuming everything you say—obviously everything you say is a fact and you will want me to give you whatever information I have to give you, and I will be very pleased to do it.

Mr. GRIFFIN. Fine. Let me ask you, then, to raise your right hand and I will administer the oath to you. Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. MEYERS. I do.

Mr. GRIFFIN. Would you state for the record your full name.

Mr. MEYERS. Lawrence V. Meyers.

Mr. GRIFFIN. Now, where do you presently live, Mr. Meyers?

Mr. MEYERS. 3950 North Lakeshore Drive, Chicago, Ill.

Mr. GRIFFIN. Where were you living at the time the President was assassinated?

Mr. MEYERS. Same address.

Mr. GRIFFIN. Are you employed?

Mr. MEYERS. Yes.

Mr. GRIFFIN. Who is your employer?

Mr. MEYERS. The name of my present employers is Farber Bros., Inc.

Mr. GRIFFIN. What kind of business is that?

Mr. MEYERS. Oh, it is sort of a diversified business. They are basically manufacturers of automobile seat covers, hassocks, decorated pillows, and I am putting them in the sporting goods business.

Mr. GRIFFIN. Where are their offices located?

Mr. MEYERS. Memphis, Tenn.

Mr. GRIFFIN. At the time of the assassination of the President, by whom were you employed?

Mr. MEYERS. Ero Manufacturing Co.

Mr. GRIFFIN. And where were they located?

Mr. MEYERS. Chicago.

Mr. GRIFFIN. What kind of business were they in?

Mr. MEYERS. Same. They are, literally, directly competitors of each other.

Mr. GRIFFIN. Would you tell us now what your general line of work is for Farber Bros.?

Mr. MEYERS. I am the sales manager.

Mr. GRIFFIN. And at the time of the assassination, what sort of work were you doing for Ero Manufacturing?

Mr. MEYERS. Same thing. Sales manager of Ero.

Mr. GRIFFIN. Let me ask you, when were you born?

Mr. MEYERS. When was I born?

Mr. GRIFFIN. Yes.

Mr. MEYERS. December 16, 1910.

Mr. GRIFFIN. And where was that?

Mr. MEYERS. New York.

Mr. GRIFFIN. How long have you lived in the Chicago area?

Mr. MEYERS. Since 1952.

Mr. GRIFFIN. Have you been in the same line of work, generally, since that time?

Mr. MEYERS. More or less. I have been in selling all of my life, various items, different products, but it has always been selling.

Mr. GRIFFIN. Are you married?

Mr. MEYERS. Yes.

Mr. GRIFFIN. And do you have a family?

Mr. MEYERS. We have three children.

Mr. GRIFFIN. Can you give us the ages of your children?

Mr. MEYERS. Certainly. We have a son named Ralph, who is 27, a daughter named Vicki, who is 26, and a son named David, who is 15.

Mr. GRIFFIN. Do you know Jack Ruby?

Mr. MEYERS. Yes.

Mr. GRIFFIN. Would you tell us how you happened to first meet him?

Mr. MEYERS. Well, I met Jack Ruby originally, I would venture to say—now, I am guessing, it could vary a little bit—possibly 6 years ago, 6 or 7 years ago in that area, in the Carousel, in the club that he owned in Dallas.

Mr. GRIFFIN. Were you introduced to him by a common acquaintance?

Mr. MEYERS. No, no. What actually happened is—how much detail do you want me to go into?

Mr. GRIFFIN. Give it to us generally and if that is not enough—

Mr. MEYERS. Yes. Of course if I go into greater detail—I was there on a business trip and footloose and fancy free and I wandered into his club this particular night. He greeted me at the door. I knew from his conversation, his diction, that he was not a Dallasite, a Texan. We talked, one thing led to another. He told me he was originally from Chicago and I, at that time, of course, lived in Chicago. So we had a happy meeting ground. We were both Chicagoans and we visited with each other the first time.

Mr. GRIFFIN. You mentioned this was 6 or 7 years ago?

Mr. MEYERS. In that area. I am not exactly certain.

Mr. GRIFFIN. I believe that Mr. Ruby actually opened the Carousel Club in 1960.

Mr. MEYERS. Well, then, that is when it was.

Mr. GRIFFIN. So it is clear in your mind that you met him at the Carousel?

Mr. MEYERS. At the Carousel. There is no question about this. You must understand one thing, Mr. Griffin. I guess I sound stupid in telling this. But I travel incessantly, as you know from trying to find me at various times, and sometimes I do lose track of time. Things get not necessarily vague, but they get mixed up in context.

Mr. GRIFFIN. I understand that and, of course, I asked you that second question to clarify what was the most significant fact that fixes the time.

Mr. MEYERS. The most significant fact is that my original meeting with Jack was at the Carousel. It could have been 4 years ago.

Mr. GRIFFIN. Since the time you first met him at the Carousel Club and up until the time President Kennedy was assassinated, give us your best estimate of how many times you saw him?

Mr. MEYERS. Here again it would be a sheer guess, but I would say 20, 25 times.

Mr. GRIFFIN. Did you have any business dealings with him?

Mr. MEYERS. Actual business dealings?

Mr. GRIFFIN. Yes.

Mr. MEYERS. No.

Mr. GRIFFIN. Did you ever talk business with him?

Mr. MEYERS. His business primarily, not my business.

Mr. GRIFFIN. What was the nature of these conversations?

Mr. MEYERS. Oh, his problems in trying to become successful, his problems with his competitors.

Why don't I say it this way, Mr. Griffin. I think to a degree he used me as a sounding board as to what action and what means to take to increase his business.

Mr. GRIFFIN. Can you give us some specific examples of particular things that he talked with you about and advice that he might have asked you for?

Mr. MEYERS. You mean businesswise?

Mr. GRIFFIN. Yes.

Mr. MEYERS. Well, for example, there were two competitors, there are and were, I should say, two competitors in Dallas named Weinstein. These were two brothers. There were two brothers in Dallas named Abe and Barney Weinstein who also ran the same type of operation, should we call them striptease places or strippers or whatever you want to call them, nightclubs if you want to glamorize them, and Jack—well, I am going to get into specifics now with what I think of Jack. Is that all right with you?

Mr. GRIFFIN. We would like to hear that; yes, sir.

Mr. MEYERS. Jack, to me, always gave me the impression of being—that he always thought he was being taken advantage of. He never felt that he had as much of a share of prosperity as anybody else, as many other people. His complaint primarily to me against these Weinsteins was an operation that they

would call audition nights in Dallas, in these clubs. The audition night evidently was a special night where, oh, three or four or five different girls would come in. Some of them were experienced strippers who worked for that fee for that night. Others were actually amateurs, I guess, who had the dreams of being artists. Well, we will use that word.

Mr. GRIFFIN. How many different times would you estimate that Jack talked to you about the amateur nights that the Weinsteins were running?

Mr. MEYER. Oh, golly, this is quite a few times. Quite a few times. As a matter of fact, as I told you, I had seen Jack, I don't know, I say 20, 25—it could be 30, 35 times. I really don't know. And in the last year or so he was very vehement about this thing, about the proceedings that he had taken, the things that he had tried to do. I will get into that if you want me to.

Also he would mention this to me many times in one night. This was one of his—of course, this all goes back to prior to the tragedy in Dallas now. It seems that he resented the fact that the union, I don't know what the name of it was, AGVA or Actors Equity or something, had forbidden these amateur nights and he, in compliance with the union rules, had discontinued them.

However, his competitors had not discontinued them. And he was trying to use—I suppose you would call it—legal methods, through the union officials, to try to get them to discontinue these things, because he felt they were hurting his business for these particular nights.

Mr. GRIFFIN. Did he ever ask you to give him any assistance in those problems?

Mr. MEYERS. Yes; he did. He asked me if I knew these various union officials. I don't even remember their names. Obviously, I didn't know them. I had no contact with them.

Mr. GRIFFIN. How long before the assassination was the most recent time that he asked you to give him any assistance?

Mr. MEYERS. The day before. Now, when you say the assassination, you are speaking of the assassination of the President?

Mr. GRIFFIN. That is right.

Mr. MEYERS. Thursday, the 21st. Is that correct? Was the 22d Friday?

Mr. GRIFFIN. Yes. Did he ever talk to you about a man in Chicago named Barney Baker?

Mr. MEYERS. I don't remember. The name doesn't ring any bells. There was a Leo somebody or other that he talked to me about who either lived in California or New York. I don't even remember. Maybe if you mention other names that might ring a bell. I don't know. Baker doesn't.

Mr. GRIFFIN. What else did he talk to you about besides his problems with AGVA, with the amateur stripper nights, and the Weinsteins.

Mr. MEYERS. Well, what else did we talk about? Women. He is quite a physical culture faddist, or at least he was. I don't know whether he still is. And one of the items that my company manufactured were barbells, and I got him a set of barbells. We had a plant, Ero had, still has for that matter, a plant in McKinney, Tex., which is some 30 miles north of Dallas. So I got him a set of barbells for exercise. He used to spend a lot of time I guess at the YMCA or something of this type.

Mr. GRIFFIN. Did he ever talk to you about any of his business promotions?

Mr. MEYERS. Well, yes; to this extent. He remodeled the club. He built runways out into the audience. Of course, he was very proud of this, I assume like any businessman would, what he considered progress. He wanted to know what my opinion was. What are you going to say? Great, fine. Doing business? Wonderful!

Mr. GRIFFIN. Did he ever talk to you about any promotions other than his nightclubs?

Mr. MEYERS. Yes; he had a gimmick, I don't know what the heck to call it, some sort of a twistboard, I guess, for the want of a better word. It is a thing that you stand on and you maneuver back and forth to—I guess it was a body developer of some kind. He wanted to know first whether I would be interested in merchandising it because my company was in this field. Second, the last time I saw him face to face he wanted to know whether my brother would be interested in handling this as a premium item.

Mr. GRIFFIN. When was that?

Mr. MEYERS. That was Thursday, the 21st.

Mr. GRIFFIN. Did you ever meet his friend, Ralph Paul?

Mr. MEYERS. No.

Mr. GRIFFIN. Did you ever meet his roommate, George Senator?

Mr. MEYERS. Yes.

Mr. GRIFFIN. When did you meet George Senator?

Mr. MEYERS. Oh, golly, here again it would go back to shortly after I met Jack, and I met him and talked to him, oh, I don't know, half a dozen times since that occasion.

Mr. GRIFFIN. Did Jack ever discuss with you any political views that he had?

Mr. MEYERS. No; never got involved in any of that kind of thing.

Mr. GRIFFIN. Did he ever talk about President Kennedy?

Mr. MEYERS. Yes.

Mr. GRIFFIN. When did he talk about President Kennedy to you?

Mr. MEYERS. Here again I am guessing. I guess shortly after Kennedy was elected. Shortly after—when was Kennedy elected, in 1960?

Mr. GRIFFIN. Yes.

Mr. MEYERS. I don't know. Somewhere in 1961, 1962. We discussed it a number of times, as a matter of fact. I guess the best way to say it is he worshipped Kennedy and his family. He sort of made—maybe it was a father complex, father image or the family that he wished he had himself.

Mr. GRIFFIN. Do you remember anything specific that he said about President Kennedy?

Mr. MEYERS. No; just generalities. Other than the fact that he thought that John F. Kennedy was possibly the greatest man that ever lived.

Mr. GRIFFIN. How did this topic happen to be brought up?

Mr. MEYERS. Oh, golly, I don't know, Mr. Griffin. I don't know. We could have been talking about something that Kennedy had done at that time or—I don't know. I would have no way of knowing.

Mr. GRIFFIN. Now, the many times that you were at the Carousel Club, did you ever see a man there who resembled Lee Oswald?

Mr. MEYERS. Never.

Mr. GRIFFIN. I want to pick up now your contacts with Jack Ruby after the 26th of September. Do you recall the first time that you would have seen him after that time?

Mr. MEYERS. I couldn't. It would be so difficult. I would have to go back through my traveling records to see when I was in Dallas. Now, I could have seen him, and I repeat, I don't remember. I could have seen him once or twice between the 26th of September—I don't know why you chose that date, I assume you have your reasons—and the 21st of November, but I frankly have no recollection of it. It just wasn't that important enough to me to make any—you know, to have any memory of it.

Mr. GRIFFIN. Did you happen to attend the Texas State Fair at any time?

Mr. MEYERS. Yes.

Mr. GRIFFIN. And did you see Jack Ruby at that time?

Mr. MEYERS. Yes.

Mr. GRIFFIN. Was this in the fall of 1963?

Mr. MEYERS. Oh, golly, I suppose so. What were the dates of the fair?

Mr. GRIFFIN. Do you remember being at the Texas State Fair?

Mr. MEYERS. Oh, yes.

Mr. GRIFFIN. In the fall of 1963?

Mr. MEYERS. Well, now, you have me at a disadvantage. I remember distinctly being at the Texas State Fair.

Mr. GRIFFIN. How many times have you been at the fair?

Mr. MEYERS. Once.

Mr. GRIFFIN. Tell us about that occasion.

Mr. MEYERS. Well, this was an unusual occasion. I was at Jack's club. Here, I don't remember the night. I have no recollection of the date, and he introduced me to one of his employees, one of his dancers.

Mr. GRIFFIN. Do you remember who that was?

Mr. MEYERS. Joy, Joyce, something like that. The name was either Joy or Joyce. I have no recollection of the last name.

Mr. GRIFFIN. Do you remember the name Joyce McDonald?

Mr. MEYERS. The last name would mean absolutely nothing to me.

Mr. GRIFFIN. Do you remember the name Joy Dale?

Mr. MEYERS. That is the girl. The Dale name brought back the name. That was it.

Mr. GRIFFIN. Tell us about that.

Mr. MEYERS. A tall blonde. Well, what happened, he introduced me to her in his club that evening and we talked about various things and among the things we talked about—gee, this all comes back to me now—she was working during the day at the Texas State Fair for a concession who were demonstrating the methods they used to make a movie or make a motion picture, and according to—I am sorry.

Mr. GRIFFIN. Was this a show by the name of "How Hollywood Makes Movies?"

Mr. MEYERS. It could have been. I don't know. It had to do with breakaway chairs and—I never saw the show. Let me tell you this right now. And you will appreciate why, when I get to the rest.

She told me that these fellows had a very good thing going. It was going to make a lot of money, blah, blah, and so on and so forth. But they were going to be closed up the next day or the day after due to the fact that they were unable to pay either the rent for the tent that they were in or some of their help who was going to quit on them the next day. I don't remember. Something of this type. And the question arose whether I could help them get over this period and I asked them what would be involved and she said, I think she said, \$200. I am not sure. Well, it so happened that that next day I had to go back to Chicago, I believe. So I said, well, Joy, I will tell you what I will do. If this thing is as good as you say it is, I have thrown \$200 down the drain a number of times, and maybe I can do some good with this \$200. So I said what time will you be out there the next day, and she said she would be there—now here again I am guessing, I don't remember the hours—but it was afternoon, somewhere about 2 o'clock or something, and I said, well, I will tell you, I am going to—I think I have reservations on the 4 o'clock flight or something like that to go back to Chicago. I said, I will run out there and I will look at this thing and if it looks anywhere near what it should be, I will stake you to this money. And I did.

I went out there and—as a matter of fact, I got there before she did. She was late. And she introduced me to two men whose names I absolutely cannot remember who were running this concession and we talked a little while. We had some coffee at a little coffee stand right near there. And it seemed that they needed \$200 to get over this thing. So I said to Joy, I will tell you what I will do. I will give you a check for \$200, and if I remember, I think I made the check out to Jack Ruby. I don't remember. I said, I will give you this check for \$200 and you go ahead and get them over the hump and in time, you will see me sometime around the country, or they will, blah, blah, and all kinds of cash you's were said and I gave them the check. She said where should she cash the check. I said give the check to Jack. He knows me well enough. I am sure he will know where to cash it. I am sure she did. That is how I got the check back. I hear since he never got the \$200, that Jack had loaned them \$100 and he took \$100 of this \$200 for himself to pay himself back, and I think she took the other hundred because as I have the story, one of her children had perhaps some—had to have some medical treatments and minor surgery, or something. So again I had thrown \$200 down the drain. That is it.

Mr. GRIFFIN. Do you recall the next time that you saw Jack Ruby after that episode?

Mr. MEYERS. If you will tell me the day that this happened—evidently you have this information. If you will tell me when this happened it might bring it back a little.

Mr. GRIFFIN. This probably would have been in the first two weeks of October.

Mr. MEYERS. First 2 weeks of October?

Mr. GRIFFIN. Of 1963.

Mr. MEYERS. I don't know. I am guessing again. I suppose the next time was the middle of November, the latter part of November, unless I had occasion to go to Dallas sooner than that, I really don't remember.

Mr. GRIFFIN. You mentioned seeing Jack Ruby on Thursday night, November 21.

Mr. MEYERS. Yes.

Mr. GRIFFIN. How did you happen to make contact with him?

Mr. MEYERS. Well, here again I am trying to get—I am trying to remember this, and I don't know whether I am right or wrong, but I guess this is the way it happened. My brother lives in Brooklyn and my brother is a Pepsi Cola distributor, and that particular week they were having a bottlers convention in Dallas and my brother and his wife attended this convention. They were staying at the Adolphus Hotel. I was staying at the Cabana Motel. I think what happened is that I had called my brother earlier during the day at the Adolphus and was told that he was out at a dinner or something, so gathering that the convention had, and that he would—well, let me remember this. No; I talked to him. That was it. I talked to Eddie and I asked he and Thelma to have dinner with me that night and Eddie said he couldn't have dinner with me that night. He had to go—he and Thelma had to go to this party that was set up by some convention thing. But that he thought he would be through with that about 11 o'clock or so that evening. So I said, fine. Why don't you meet me at the Cabana Motel at 11 o'clock that evening, or, you know, when you get through, and I will be in—the club at the Cabana is called the Bon Vivant. Meet me in the Bon Vivant Room and we will say hello. I hadn't seen him for some time.

Meanwhile, I had stopped in to Jack's place that evening. I don't know what time. I would venture to say in the neighborhood of 9 o'clock that night. This was Thursday night, the 21st. I think that is pretty accurate because it comes back to me now.

I visited with Jack for about, oh, an hour, I don't know, just sat around there and yakked with him. Nothing of any consequence. He might have even brought up this amateur night thing again. Of course, you realize that was before any of this tragedy had struck. So then I told Jack that my brother and his wife were going to meet me for a drink at the Bon Vivant Room about 11 o'clock and if he had the time, why didn't he come over and meet us. So he said he would if he could. Well, I don't remember now—I guess possibly around 11:15 or so my brother and his wife came by and within the next half hour or less, Jack came by. So we sat there, and if I remember right, he had coffee. I have never seen him take a drink.

Mr. GRIFFIN. Was anybody else with Jack at that time?

Mr. MEYERS. No; Jack was alone.

Mr. GRIFFIN. When you saw him at the club, was anybody with him, at the Carousel Club?

Mr. MEYERS. Nobody that I would have—well, see, it is a hard question for me to answer. He was the host and he was with people.

Mr. GRIFFIN. Was George Senator there that you recall?

Mr. MEYERS. I don't remember him being there. Now, he might have been. There were a number of people in the club I don't remember. I know I didn't talk to him there. If he was there, I didn't see him. Shall I go on?

Mr. GRIFFIN. Go ahead. Well, let me interrupt you.

Mr. MEYERS. Go ahead.

Mr. GRIFFIN. How much time do you think you spent with him at the Carousel Club?

Mr. MEYERS. Thursday night?

Mr. GRIFFIN. Yes.

Mr. MEYERS. In the neighborhood of an hour.

Mr. GRIFFIN. Now, during that period at the Carousel Club, what do you recall that Jack talked about?

Mr. MEYERS. I just have no recollection. It was nothing of any consequence—beefs about trying to get hold of this union official, that one, to do this or do that.

Mr. GRIFFIN. Did you notice anything unusual about his behavior?

Mr. MEYERS. He was just as nutty as he always was.

Mr. GRIFFIN. What do you mean by that?

Mr. MEYERS. And I use the word advisedly.

Mr. GRIFFIN. What do you mean by that?

Mr. MEYERS. Well, you see, you have me in a very awkward position. All this has happened, all these things have happened since and obviously I have read everything about it naturally. Indirectly I am involved, let's put it this way. So I suppose I possibly have paid more attention to it than the average layman would have.

Maybe not. I don't know. And I have tried in my own mind to associate Jack's behavior as I knew him to this terrible thing that he did. In other words, I am trying to—I don't know how to word it. I like him. And I am trying to understand what could have motivated him to do a thing like this, get into that.

Mr. GRIFFIN. Before we get to that point, let's see if we can't try to establish the facts about what you saw him do during this period.

Mr. MEYERS. Well, all he did that night that I can remember, Mr. Griffin, is his perpetual running around. He was running to the cash register to take it—I think it is a \$2 admission that he had into his club, or running over to the lights to switch them on and off and up and down as the various girls would go through their various gyrations, and running over and talking to this waitress or talking to that one and talking to people in the club, to men primarily, none of whom I knew or paid any attention to because they didn't concern me.

Now, you say did I see Oswald in that club that night? This is a ridiculous thing for me to say. I didn't see him. He might have been there. I would have been the most surprised guy in the world if he was, but do you follow what I am trying to say?

Mr. GRIFFIN. Sure.

Mr. MEYERS. I just paid no attention to it.

Mr. GRIFFIN. While you were at the club on Thursday night, did Jack mention anything to you about the President's expected arrival in Dallas the following day?

Mr. MEYERS. I don't even remember this. This is absolute fact. I have no recollection.

Mr. GRIFFIN. Do you have any recollection of his having mentioned it later when you met him at the Bon Vivant Room?

Mr. MEYERS. It did come up. I remember this very distinctly. It came up but it came up in an aroundabout way and I will tell you how that happened if you want me to do that now.

Mr. GRIFFIN. First of all let me ask one further question. Is there anything else you remember about what happened at the Carousel Club on Thursday night?

Mr. MEYERS. He was supremely upset. I remember this. He was very angry at one of the girls who had worked for him who he—now, this is his story. You know this again comes back to me. His story is that this girl—she was his star performer, I suppose, and had a sensational act and evidently there was some local objection to some of her act from the standpoint of decency thing. So he had asked her would she please tone down her act so that he would have no problem with the authorities, as far as performance was concerned, and that she had defied him and did the act as she had always done it, and possibly even a little more so. So he fired her. He let her go. Now this is his story to me.

Mr. GRIFFIN. Did this conversation occur Thursday night or was it one you had earlier

Mr. MEYERS. I am almost sure it was Thursday night, but it might have been earlier. You see, it is confusing.

Mr. GRIFFIN. Was the name of this girl Jada?

Mr. MEYERS. Jada.

Mr. GRIFFIN. Let me ask you a few questions, then, to try to establish when this conversation might have taken place. Do you recall being at the Carousel Club during the fall of 1963 when Jack Ruby had a photographer, commercial photographer, there taking pictures?

Mr. MEYERS. I have no recollection of this.

Mr. GRIFFIN. Have you ever met a commercial photographer from California whose name is Eddy Rocco?

Mr. MEYERS. No; not at all.

Mr. GRIFFIN. Were you in Dallas at the time of any of the SMU football games in the fall of 1963?

Mr. MEYERS. That is a hard thing to answer.

Mr. GRIFFIN. Did you attend any?

Mr. MEYERS. No, no; I have never gone to a football game in Dallas in my life.

Mr. GRIFFIN. Do you have any recollection of being in Dallas between the time you gave Joy Dale the \$200 check and the time that you saw Ruby on Thursday night?

Mr. MEYERS. Here I have to answer you this way. I do not remember whether I was there or not in that—what would that be—about a 4-week period or something like that.

Mr. GRIFFIN. Four to six weeks.

Mr. MEYERS. I don't remember. I can find out very easily, you know, my travel records, because I keep these things—tax structure—but I don't remember having been there. It is possible I was.

Mr. GRIFFIN. Other than this conversation about Jada that may have occurred on Thursday night and the other things you have mentioned that occurred at the Carousel Club on Thursday night, is there anything else that took place at the Carousel Club Thursday night that you can recall.

Mr. MEYERS. Not that I can remember.

Mr. GRIFFIN. All right. Now, when you left the Carousel Club, did you go directly to the Dallas Cabana?

Mr. MEYERS. I suppose so.

Mr. GRIFFIN. About how long after you left the Carousel Club did Ruby arrive at the Cabana?

Mr. MEYERS. I would say between 2 and 2½ hours. Wait a minute. I got there—I must have left Jack about 9:30. About 2 hours to 2½ hours—give or take a few minutes.

Mr. GRIFFIN. When you were at the Carousel Club, do you recall if Jack had eaten dinner at that point?

Mr. MEYERS. I don't remember.

Mr. GRIFFIN. Do you recall his mentioning to you about his sister's illness, or about the management of the Vegas Club, Thursday night?

Mr. MEYERS. Well, you mentioned the Vegas Club and you brought up another thing in my mind. Now, whether this happened that night or not—you must understand—I just don't remember.

Mr. GRIFFIN. I realize that.

Mr. MEYERS. He was a little upset—it was either that night or possibly the time previous that I had seen him—of the fact that some hillbilly band that had been working at the Vegas Club who were evidently very successful, and a very good draw, were leaving. Some competitor, or somebody else, had offered them more money. I don't know what it was, but they were—they had either left or they were leaving, and he was rather upset about this.

He didn't say a word to me about his sister. As a matter of fact, I have never even met his sister.

Mr. GRIFFIN. To be specific, do you have any recollection that Jack told you that he was going to take one of his employees over to the Vegas Club to run the Vegas Club that evening, or that he had already done so?

Mr. MEYERS. No; I have no recollection of this.

Mr. GRIFFIN. You indicated that you thought you were supposed to meet your brother at the Cabana about 11?

Mr. MEYERS. Roughly.

Mr. GRIFFIN. Could it have been as late as midnight?

Mr. MEYERS. Very possibly.

Mr. GRIFFIN. Is it possible at the time that the lapse of time between your seeing Ruby at the Carousel and the time of your seeing him at the Cabana could have been as little as an hour?

Mr. MEYERS. No; I would almost swear that it would have to have been longer than that because I couldn't possibly have left—well, here again maybe I am nutty. I am almost certain I didn't leave the Carousel after 10 o'clock—maybe I did. But I would—I would go on record that I didn't. I think I left there

about 10, and I drove right back to the Cabana, and that could not have taken me over 15 minutes, and my brother and his wife then joined me, and this again I say is somewhere, 11-11:30, I don't know.

I just don't pay that much attention to time. Jack came in shortly after they did.

Mr. GRIFFIN. To try to fix the time that you were at the Carousel Club, try to think where you had diner, if you can, on that Thursday night, and how long it was from the time you had dinner until you went to the Carousel Club.

Mr. MEYERS. You know something, I haven't got the vaguest recollection of where I had dinner that night. I could have sat down in some real fine restaurant and had an excellent dinner. I could have stopped in some coffee-shop and had a sandwich and a cup of coffee. I haven't got the vaguest recollection. Did I tell the people from the FBI. If I did, then I possibly—possibly I remembered it a little better then.

Mr. GRIFFIN. No; you didn't.

Mr. MEYERS. I have no recollection of where I had dinner that night.

Mr. GRIFFIN. When Jack arrived at the Cabana, were your brother and his wife already there?

Mr. MEYERS. Yes.

Mr. GRIFFIN. Did anyone accompany Jack to the Cabana?

Mr. MEYERS. No; well nobody accompanied Jack when he sat at the table with me. Now, I wouldn't know who he came out there with.

Mr. GRIFFIN. Now, try to tell us as best you can what happened from the time Ruby arrived at the Cabana until he left?

Mr. MEYERS. Well, really so very little. I introduced my brother and sister to him. We yakked about—I don't know anything that—I really couldn't tell you what we talked about. It was nothing that was consequential in any shape, manner, or form other than the fact he was interested—when I told him my brother was a Pepsi Cola distributor—would there be any way that Eddie could handle this twistboard of his as a premium with the Pepsi Cola operation which I, of course, said forget it—it just doesn't fit. It is just not that. It is not that kind of a thing.

What else did we talk about? I don't know. We could have talked about anything.

Mr. GRIFFIN. Now, earlier you were about to talk, before I cut you off, about the conversation that had to do with the President's arrival in Dallas.

Mr. MEYERS. Yes.

Mr. GRIFFIN. Where did that take place and what happened?

Mr. MEYERS. Well, at the table that evening, my brother and sister-in-law had never seen our plant in McKinney. McKinney is 30 miles north of Dallas. The airport, I assume—and I could be a little wrong on mileage—is about 10 or 12 miles in, more or less, the same direction from Dallas. I wanted my brother and his wife to see our plant. So they had reservations to leave Dallas on an 11 something flight that morning. I couldn't tell you exactly what the time was. I do know it was shortly before the President was due to arrive, because this, of course, was all published in the Dallas papers. So I said to Eddie, I said, "Eddie, why don't I pick you up tomorrow morning, you and Thelma, at the Adolphus, we will have breakfast. I will pick you up early, about 8 o'clock. We will have breakfast. I will run you over to the plant. It won't take me more than an hour to get there. We will spend a half hour or so, and you can look it over, and I will bring you back to the airport on my way back to Dallas."

So then the question came up, "Won't we get hungry up at the airport?" "No," I said, "we will get there before the President's plane is due to arrive, and I am not going to stay and watch the airplane come in, and I will drop you off and take off, and I should be out of the crowd before the crush or whatever is going to happen—you know—the mob of people going out to see him. So this was arranged, and this was the only conversation about the President coming in.

Mr. GRIFFIN. Was Jack Ruby present during that conversation?

Mr. MEYERS. I think so.

Mr. GRIFFIN. Do you recall his saying anything during that conversation?

Mr. MEYERS. If he said anything, I have no recollection of it because obviously this whole thing was as far from my mind as if you told me you were going to jump off the top of that building over there.

Mr. GRIFFIN. How long did Jack remain at the Cabana?

Mr. MEYERS. Not very long. He left before my brother and sister-in-law did. I would say he stayed maybe 20 or 30 minutes.

Mr. GRIFFIN. Did you see him again that night?

Mr. MEYERS. No.

Mr. GRIFFIN. Did you see him the next day, Friday?

Mr. MEYERS. No. The next day was a very tragic day.

Mr. GRIFFIN. Before he left on Friday night or on Thursday night, had you made any arrangements with Jack Ruby to see him again.

Mr. MEYERS. No; just we will be in touch or have dinner one night, you know, generalities. I might have even told him I would be in the club the next night. I don't remember.

Mr. GRIFFIN. Tell us what you did on Friday morning.

Mr. MEYERS. Friday morning. Well, I took my brother and sister—as I told you, I met my brother, took them—had breakfast at the Adolphus about 8 o'clock, drove up to McKinney, got to McKinney I would say in the neighborhood of about 9:30, quarter of 10, and spent roughly 20 minutes to a half hour going through the plant with our plant manager, and then I piled them in the car and took them back to the Dallas airport and we got to Love Field, I would say, within 10 minutes of the arrival of the President and his plane. I said goodbye and left them. I got in my car and continued on out. Are you familiar with Dallas? I continued out Lover's Lane to pick up Stemmons Expressway, Stemmons Freeway, turned down into Dallas and picked up the Fort Worth Turnpike to go to Fort Worth because I had an appointment with Leonard's which is a department store in Fort Worth that morning. I guess, of course, I had the car radio turned on and I heard all the business about the President's arrival, and so on and so forth. Along about 12 or a little before 12 I stopped at, I guess it is a Howard Johnson's on the Fort Worth Turnpike for some lunch. I had either just eaten a sandwich and some coffee or I was waiting to go in when some man came up to me and says, "Have you heard that the President has been shot," and I said, "Hell, no," or some exclamation like that. I said, "Are you kidding?" He said "No, I heard it on my car radio a little while ago that the President has been shot and there was a lot of Secret Service men that had been shot, police had been shot, there were all sorts of rumors flying around."

Well, I suppose I was just as shocked as most people. I got back in the car and I drove into Leonard's—drove in to Fort Worth, went down into Leonard's and the office of the man who buys the sporting goods is right off the automotive department of Leonard's, a Mr. Kelley, and in the automotive department they had a television set set up and at this time, by the time I had gotten there, of course, the President and Governor had been taken to the Parkland Hospital, and, well, the rest of it, you know, they were going through all this television business. Of course, everybody came to a standstill. I could no more have talked business to the man than if some terrible tragedy happened now and I would have to stop talking to you. I guess everybody was shook up. So I got back in the car and went back to the hotel.

Mr. GRIFFIN. About what time did you arrive back at the hotel?

Mr. MEYERS. There again I am guessing. I got to Fort Worth I would say in the vicinity of 12:30, or quarter of 1. I stayed there watching television until the actual official word was given on television that the President was dead and then I drove right back to the hotel. Now, when was the official word given? If you tell me that I will tell you when I got back.

Mr. GRIFFIN. It would have been—

Mr. MEYERS. I would say approximately 3 o'clock is when I got back to the hotel, give or take a few minutes.

Mr. GRIFFIN. How long did you stay there at the hotel?

Mr. MEYERS. I stayed there all night.

Mr. GRIFFIN. Did you see or talk to Jack Ruby at all that day?

Mr. MEYERS. Not Friday.

Mr. GRIFFIN. There was the Dallas Cabana that you were staying at?

Mr. MEYERS. Yes.

Mr. GRIFFIN. Did you see any of Ruby's friends that day?

Mr. MEYERS. No.

Mr. GRIFFIN. Or talk to them?

Mr. MEYERS. No.

Mr. GRIFFIN. Now, do you recall what you did on Saturday?

Mr. MEYERS. Well, gosh, I don't know. I know I watched television with all the business until my eyes bugged out of my head both Friday night and all day or most of the day Saturday. I couldn't have done anything of any consequence. There was no place to go.

Mr. GRIFFIN. Did you at any time drive down to Dealey Plaza or the site of the shooting?

Mr. MEYERS. That is possible, very possible. Highly possible.

Mr. GRIFFIN. Did there come a time on Saturday when you did talk to Jack Ruby?

Mr. MEYERS. Yes.

Mr. GRIFFIN. Where were you at the time?

Mr. MEYERS. In bed.

Mr. GRIFFIN. What is your best recollection of what time this was?

Mr. MEYERS. 9 or 10 o'clock Saturday night.

Mr. GRIFFIN. How do you happen to fix that time?

Mr. MEYERS. Well, because I was undressed and going to bed and I wouldn't have gone to bed—I certainly wouldn't have gone to bed much later than that because there wouldn't have been anything for me to do or any place to go. It would have been a case of sitting in the room or driving around in the car which I didn't want to do or sitting in the lobby reading a book which I didn't want to do. I was in the room in bed and I am again saying it was somewhere, 9, 10 o'clock that night, a few minutes either way, and it was highly possible. And the phone rang and it was Jack on the telephone.

Mr. GRIFFIN. When you talked with the FBI on December 3, you indicated at that time that the telephone call that you received came in at approximately 10:30 p.m. or at least this is what the FBI has reported you said.

Mr. MEYERS. It is possible, highly possible. I say 9, 10, give or take a little while. You see, you must understand one thing, Mr. Griffin, Friday after the assassination—I don't know how to word this so you won't think I am an idiot—was a reasonably exciting day, may I put it that way, because so much was happening, so much going on, so much tragedy and also in my opinion so much stupidity. However, this is my opinion. And Saturday was pretty much repetition of all this plus what was going on in Washington when they had brought the body back and I think there was, oh, I don't know, preparations for the funeral or various people on television but it was greatly repetition. And once the first shock of this tragedy had worn off, all of this watching of television with the various commentators and the various different people inevitably saying the say thing, I suppose became rather boring. I was sick enough about it any way.

Mr. GRIFFIN. About how long did your telephone conversation with Ruby last Saturday night?

Mr. MEYERS. I would say in the neighborhood of 15 or 20 minutes.

Mr. GRIFFIN. Now, 15 or 20 minutes is a reasonably long telephone call.

Mr. MEYERS. It was a reasonably long conversation. I would say possibly 15 minutes.

Mr. GRIFFIN. Tell us what you remember of that conversation, how it started and how it progressed.

Mr. MEYERS. Well, he called me and the first thing he said to me is what did I think of this terrible, terrible thing? So I said the usual banalities, what did I think about it, it was a horrible thing. So it was so sad that I thought in this country, if you didn't like a man's politics you voted him out of office instead of killing him, and that in a nutty place—I hope neither of you are from Dallas—

Mr. GRIFFIN. Let me, if you know—are these things that you actually said to him or thoughts that you had later on?

Mr. MEYERS. I said to him, in a nutty place like Dallas anything can happen.

I don't mean I was not surprised that this happened but that only in a place like Dallas, I guess was the words I used, would a thing like this happen, which was a ridiculous thing to say. It could have happened anywhere. And then he kept repeating himself. He was so absolutely repetitious about those poor people. Now, I want to make this point clear. He had been—oh, yes. It comes back now. He was squawking or beefing to me about the fact that his competitors had opened their place of business Saturday night and that he had stayed closed. He had closed his. And how terrible he thought it was and how unfair he thought it was. And then he went into this conversation of these poor people, these poor people, I feel so sorry for them.

Mr. GRIFFIN. Did he mention what poor people he was talking about?

Mr. MEYERS. This is what I am getting at now. My original concept was that these poor people he was talking about were his competitors whom he felt had no heart and no—well, no feelings, you know; they were money hungry and this bit. And then it dawned on me as he went on and kept mentioning the poor woman and the children and then I realized he was talking not about his competitors but about Mrs. Kennedy and her children, and I don't know exactly what I said to him. How could I remember exactly other than, well, Jack, I am sure that she will make—you know, life goes on. She will make a life for herself, and so on and so forth. Then he was obviously very upset. He was—let me say it this way—in all of my conversations with him through the years that I have known him, he had occasions to get to a degree overwhelmed, in other words, he would almost get incoherent because he was so anxious to get his point over. I am sure you have talked to people who will do this. This night he seemed far more incoherent than I have ever listened to him. The guy sounded absolutely like he had flipped his lid, I guess. Of course, you all have to understand I have read so much, everybody swinging this way.

Mr. GRIFFIN. Try to focus on what your view was at that time?

Mr. MEYERS. I am trying very hard because I am sure you realize I want to tell you everything that I know. And I also have a reason for this. He became so incoherent, so vehement about these poor people, these poor people, the poor children, I said, Jack, where are you, and I don't remember where he said he was, I really don't. I said, look—he said come have a drink with me or a cup of coffee with me. That is right. He asked me to come and have something with him, some food or drink. I said, Jack, that is silly. I am undressed. I have bathed. I am in bed. I want to go to sleep but, I said, if you want a cup of coffee you come on over here and come on up to my room and I will have some coffee or food sent up to my room and we can sit here and talk. He said, no, no, he had things to do. He couldn't come over. I don't know whether he said at the time or not but he couldn't come over. This went on for a little while and the last thing I said, Jack, why don't you go ahead and get a good night's sleep and forget this thing. And you call me about 6 o'clock tomorrow night because I have no plans for tomorrow night. Call me at 6 tomorrow night and we will have dinner together and he said okay. I said, fine, Jack, I will look forward to your calling about 6 o'clock Sunday night. He didn't call me.

Mr. GRIFFIN. Do you recall—you say he mentioned to you where he was.

Mr. MEYERS. No; he didn't tell me where he was. You mean he called me Saturday night?

Mr. GRIFFIN. Yes.

Mr. MEYERS. Well, I am saying if he told me where he was, I have no recollection of it. I don't know where he was when he called me.

Mr. GRIFFIN. Did he mention anything to you to the effect that his sister had suggested that he call a friend or that he call you?

Mr. MEYERS. Not that I remember. You must understand one thing. You see, I have never met his sister. To this day I have never met his sister and whether his sister knew me or knew about me, I don't know.

Mr. GRIFFIN. Did he mention anything to you about having taken any pictures of a billboard in Dallas?

Mr. MEYERS. No.

Mr. GRIFFIN. Do you remember his mentioning a sign which urged that Earl Warren be impeached?

Mr. MEYERS. I know the sign you are talking about. I have no recollection of him ever mentioning this.

Mr. GRIFFIN. Do you have any recollection of his mentioning to you an advertisement that appeared in the Dallas Morning News on November 22 which addressed to a series of questions to President Kennedy with a black-bordered advertisement and bore the name of Bernard Weissman?

Mr. MEYERS. No.

Mr. GRIFFIN. Do you have any recollection of that?

Mr. MEYERS. No.

Mr. GRIFFIN. Did he mention to you any theories that he had about the assassination?

(Mr. Meyers shook his head in the negative.)

Mr. MEYERS. We didn't

Mr. GRIFFIN. You will have to answer no. You have to give an audible response.

Mr. MEYERS. I am sorry. I keep forgetting this. No; he never discussed any of these things with me. As a matter of fact, we never discussed the assassination other than his misery when he called me Saturday night. Now, obviously it would be said, what a terrible thing, you know, this type of thing.

Mr. GRIFFIN. When he mentioned to you that his competitors were open, did he indicate how he knew they were open?

Mr. MEYERS. No. I would assume he went by and saw them open.

Mr. GRIFFIN. But do you recall, have any specific recollection of his saying that?

Mr. MEYERS. No.

Mr. GRIFFIN. Do you have any recollection of his having said that he visited any nightclubs at all that night?

Mr. MEYERS. Didn't mention it.

Mr. GRIFFIN. Did he mention to you that he had seen Lee Oswald the night before?

Mr. MEYERS. No. Didn't even mention Lee Oswald.

Mr. GRIFFIN. Now, when you talked with the FBI on December 3, the FBI has quoted you as saying that one of the things that Ruby told you in the conversation was "I have got to do something about this." Do you remember that—

Mr. MEYERS. Definitely.

Mr. GRIFFIN. That statement?

Mr. MEYERS. Definitely.

Mr. GRIFFIN. Tell us how that—in what context this came up.

Mr. MEYERS. Well, this again is—you see, this, of course, is my interpretation of this. When he was talking to me on the telephone and he said these poor people—you mentioned this and it all comes back to me—I have got to do something about this. I thought he was talking about his competitors being open on Saturday night because this was the basis of his conversation with me all along and that he was going to do something about them staying open on Saturday night in defiance or—I shouldn't say in defiance—out of nonrespect for the assassination, or for the memory of the President, or anything like this.

Also, I suppose, unfortunately, religion has to come into this thing, although, good lord, I wish it didn't. Also the fact that Jack obviously is Jewish, so am I, and so were his two competitors, and Jack is—I don't know how to word this—militantly Jewish. In other words, he is going to make an issue of this. He thought it was terrible that Jewish people should show such disrespect.

Mr. GRIFFIN. Did he specifically mention this Jewish aspect?

Mr. MEYERS. He didn't specifically mention it but, Mr. Griffin, it is a difficult thing to say, but in my understanding of Jack, this is what I assumed he was talking about.

Mr. GRIFFIN. What was it that he said that led you to think he had some reference to the fact—

Mr. MEYERS. Well, "these poor people, and wasn't it"—you see, you are putting words in my mouth now.

Mr. GRIFFIN. I don't want to do that.

Mr. MEYERS. I am putting words in my own mouth actually. He had many times intimated to me or indicated to me that it was a damn shame, to use his words, that his competitors were such money hungry Jews, and, of course, we could get into quite a discussion about technicalities in this and feelings in this matter, and I of course—you see, my background and Jack's is so completely different. It is so difficult for me to sometimes see his way of thinking. Do you follow what I am trying to say?

Some things that Jack said I would have sympathized with him. Other things that he said I might have sympathized with him but certainly not like the way he said it. Do I make myself clear? There were just, in other words, just as many money hungry Christians as there are Jews.

Mr. GRIFFIN. Is this opinion that you are giving us, that Jack was upset about the Weinsteins being open, in part because they were Jewish, is this an opinion which you had at the time that you talked with Jack that night or is that one that you formed later on after reading—

Mr. MEYERS. No, no; that is an opinion I had that night when I first thought that he was talking about the Weinsteins.

And the fact that he led me to believe—I will put it this way—that he was talking about them in the category of money hungry Jews is because he was so militantly against anybody bum-rapping Jews, that is a way of saying it. I don't know how to word it. I know exactly what I want to say but I don't know how to use the words. He thought it was a reflection on the Jews that these people would do such a thing. Let me put it that way.

Mr. GRIFFIN. Did he say anything specifically that would lead you to believe that just on the basis of that conversation, or was this something that you were concluding on the basis of having known him.

Mr. MEYERS. It was a conclusion from having known him because he did not mention the Weinsteins by name Saturday night when he talked to me. All he said, and he repeated this a number of times, were, "those poor people, those poor people, I have got to do something" or, "I should do something about this." I don't know exactly which words he used.

This he said a few times. Now, my assumption through my conversations with him and through knowing him is that he was talking about these Weinsteins.

I have since begun to believe that he was not talking about the Weinsteins. He was talking about the Kennedy family. At least this is my conclusion; and I am not a psychiatrist or an attorney.

Mr. GRIFFIN. Well, again, is that conclusion based on anything he said that night or is it based simply on the fact that later he shot Lee Oswald.

Mr. MEYERS. You mean my conclusion?

Mr. GRIFFIN. Yes.

Mr. MEYERS. I would assume it is based on the fact that Sunday morning he shot Lee Oswald.

Now, he did a number of times mention, "those poor people, those poor people. I have got to do something about it, or I should do something about it." And you see, you must understand, Mr. Griffin, that the assassination, of course, had occurred. The murder of Oswald, particularly by Jack Ruby, was—well I can only say the furthest thing from my mind. I just had no belief or concept—any more than Miss Taylor might pick that thing up and decide to hit me on the head with it right now. I would be just as shocked. As a matter of fact, when I found out he had done it, it was the most shocking thing.

Mr. GRIFFIN. Now, you indicated that before closing the conversation, Ruby said to you that he had to go downtown, or that he had some business downtown.

Mr. MEYERS. You mean Saturday night?

Mr. GRIFFIN. Yes.

Mr. MEYERS. No.

Mr. GRIFFIN. He did not say that?

Mr. MEYERS. No. The last thing he said—I will repeat myself now, and this I know is a fact. He was more incoherent than he had ever been when I talked to him that night, and he asked me to meet him for some coffee or a drink, I

don't remember exactly what he said, and I told him that I was undressed and in bed and I had no desire to get up and get dressed, that if he wanted to have a cup of coffee with me, come on down to the hotel or come up to my room. I would have some coffee sent up and we could visit. He said, no, he couldn't do that. He couldn't do that. I don't think he said why. I don't remember why. He said, I couldn't do. I said, all right, Jack, I have no plans for tomorrow evening. I said why don't you call me here about 6 o'clock and I said, we will have dinner together tomorrow night and he said fine and that is it.

MR. GRIFFIN. I thought you mentioned earlier when he said no, he couldn't do that, he mentioned something about his having some business, some other things to do.

Mr. MEYERS. If he said it, I have no recollection.

Mr. GRIFFIN. Did he mention anything to you about having had a telephone call from one of his dancers who wanted to borrow some money?

Mr. MEYERS. Well, now, you see, here I am confused because I know that he sent this kid some money in Fort Worth. I read all about this. Now, whether he mentioned it to me or not, Mr. Griffin, I don't remember. He might have. He might not have. I don't know. But, you see, you must appreciate my position because it is difficult for me to disassociate what I have read from what actually happened. Now, I do know that he sent this kid, this pregnant kid, some money. I don't remember his mentioning it to me Saturday night. He might have. I don't remember.

Mr. GRIFFIN. In thinking back on his conversation, to what extent did his conversation focus on his competitors as opposed to the extent that it focused on "those poor people, those poor people"?

Mr. MEYERS. This is Saturday night you are talking about?

Mr. GRIFFIN. Yes.

Mr. MEYERS. Well, you see, I don't think I have made myself very clear. When he talked to me Saturday night, he did mention the fact that these competitors were open Saturday night and he did mention the fact of how terrible it was because of a sign of disrespect to the President and the fact that this money hungry Jew did it.

Mr. GRIFFIN. Did he use the phrase "money hungry Jew"?

Mr. MEYERS. Yes. He used that phrase to me many times. Whether he used it that night, you see, I can't be specific.

Mr. GRIFFIN. I don't want you to be if you can't be.

Mr. MEYERS. I can't be specific.

Mr. GRIFFIN. So you are not clear?

Mr. MEYERS. I am not specific. Let's say I am not factual on that. I am not exact.

Mr. GRIFFIN. Yes.

Mr. MEYERS. Now, somewhere in this conversation he swung from his competitors to these poor people. Now, this could have been early in the conversation that I had with him that night or later in the conversation, in the same conversation, that is, and when he went from speaking directly about his competitors to these poor people, I still assumed he was speaking about his competitors. My belief since, of course, is that he was no longer speaking about his competitors. He was speaking about the Kennedy family.

Mr. GRIFFIN. Was this conversation a conversation in which Jack would pause frequently and you would say something or was it something which—

Mr. MEYERS. It was pretty much his conversation to me and me saying Jack, calm down, unwind, you know, get it off your mind, or something of this type.

Mr. GRIFFIN. Try to think about your side of the conversation and tell us what things you were saying to him?

Mr. MEYERS. Well, actually, Mr. Griffin, I said very little to him other than to—I used the words, pacify him. He was obviously very upset, and again I thought he was upset because of his competition and he was upset obviously because of the assassination. My conversation to him—my words to him were nothing specific more than typical pacifying comment every now and then when he would let loose another tirade.

Mr. GRIFFIN. Is there any possibility in your mind that this conversation could have taken place after midnight?

Mr. MEYERS. No. I would be extremely surprised if that took place after midnight. I couldn't have lost that much time. It would have to have taken place somewhere around—10 that night. It might have even been closer to 11 but it couldn't possibly have been midnight because I was not yet asleep.

As a matter of fact, I was in bed reading, either reading or watching television, I don't know.

Mr. GRIFFIN. You mentioned Jack's concern about the Weinsteins being what he apparently called money hungry Jews. In your experiences with Jack, would you say that Jack was any less interested in making money than the Weinsteins?

Mr. MEYERS. No, no; Jack was just as interested in making money, I am sure. You know, a good psychiatrist could give you the answer to this very simply. The fact remains that the Weinsteins have evidently lots of money and Jack doesn't or didn't, and I suppose he resents this to a degree.

Mr. GRIFFIN. What was your experience with Jack as to whether or not he was an aggressive or passive business entrepreneur?

Mr. MEYERS. Whether he was aggressive or passive as an individual?

Mr. GRIFFIN. As a businessman. Was he——

Mr. MEYERS. Oh, extremely aggressive. Extremely aggressive. I think Jack's entire nature is aggressive. I think his character is extremely aggressive.

Mr. GRIFFIN. In connection with his attitude toward the Jews, had you ever talked to him about any books that he was reading about the Jews?

Mr. MEYERS. No. Let me make his attitude about Jews a little clearer to you. I may have given you a wrong impression. Jack in my opinion is extremely proud of being Jewish—and we'll put it on a personal basis—just as I am. And due to Jack's childhood, which I have read so much about—I knew nothing about it until I read about this—and his home life, the way he matured, it is very obvious to me that Jack did have an inferiority complex, we'll use the old cliché, and that he had become or tried to become an extrovert in order to fit in with what he thought were important people to fit in with due to his lack of formal education. He would attach himself to people from whom he thought he could learn, from whom he thought he could better himself, which, more power to him.

I think also he resented maybe to a degree of envy what some of these—what these Weinsteins were doing, first because he envied them their success, and second, because on this particular night, this Saturday night, they had done something that he felt was derogatory to his people and he would resent it, just as I would resent—and here I must put it on a personal basis, it is a stupid thing, believe me—just as I would resent the living caricature of what a Hitler would portray as a Jew or just as you would resent a living caricature that somebody might portray as the worst element in your faith, and we all have this in our faith.

Mr. GRIFFIN. Do you remember, Mr. Meyers, any specific episode or conversations you had with Jack about his feelings towards his Jewish background or his sensitivity toward being a Jew?

Mr. MEYERS. I have a feeling he was very proud of being a Jew.

Mr. GRIFFIN. Do you recall any specific conversations?

Mr. MEYERS. No.

Mr. GRIFFIN. Did he actually mention his feelings about being a Jew from time to time in conversations that you had with him?

Mr. MEYERS. No, we just didn't discuss it. There was just nothing to discuss between he and I on this.

You know, something else comes to my mind now. I also—it is so hard for me to separate what actually happened from what I have read. Can I word it this way?

I am reasonably sure that when he talked to me Saturday night he also said something about going to his rabbi or to the synagogue and that he was surprised that there were no special services that day for the memory of the President.

Now, again, I want to emphasize the fact that I am reasonably sure he said this to me because it seems to come into my mind when he was talking about synagogue and services and rabbis and there would have been no occasion for it other than this, at that time of the night.

Mr. GRIFFIN. Could this have been something that you perhaps learned as a result of talking with one of his brothers or sisters?

Mr. MEYERS. I don't know his brothers or sisters. I have never met them.

Mr. GRIFFIN. In the various times that you had seen Jack Ruby, had you ever seen him get in any fight or become violent with people?

Mr. MEYERS. No; I have never seen Jack become physically violent. I have seen him verbally bawl out people, but I have never seen him become physically violent.

Mr. GRIFFIN. Has Jack ever talked to you about his associations with underworld characters—hoodlums?

Mr. MEYERS. Many times.

Mr. GRIFFIN. What has he told you about it?

Mr. MEYERS. Generalities. Typical—nothing specific, just typical of a man who wants to be with the ingroup, if you want to call this the ingroup, just dropping names of so-called important people that he met or had known, or so on and so forth.

Mr. GRIFFIN. Did he ever say anything to you which indicated that he had ever been a part of any criminal organization?

Mr. MEYERS. No; not—of course, you get a finer point of what is criminal and what is not. Jack did tell me, in his youth he was, well, the words he used, a hustler around Chicago, trying to make a stray buck on selling scalping tickets for various fights or hockey games or something like this. I don't know if he was a criminal. I mean, you know what interpretation you want to put—

Mr. GRIFFIN. Well, did you ever get any indications from him that he had ever sold narcotics?

Mr. MEYERS. No.

Mr. GRIFFIN. Or that he had ever, himself, been a part of any gambling organization.

Mr. MEYERS. Mr. Griffin, if I ever thought that Jack was involved in anything—in a narcotic or this kind of thing—I would immediately have bought back my introduction to him. I personally, now, this is—should I say this is off the record, because this is not going to be published anywhere, is it?

Mr. GRIFFIN. Well, let me tell you that it will be.

Mr. MEYERS. Published?

Mr. GRIFFIN. Everything that is going to be said here will be published, but we appreciate your frankness.

Mr. MEYERS. There is one thing that—what were we talking about? It slipped my mind.

Mr. GRIFFIN. You were going to comment about if you ever had any idea or known that he was connected with narcotics or anything like that.

Mr. MEYERS. You can put this down if you want to, but I prefer you to stop for a minute.

Mr. GRIFFIN. We have a policy of not—

Mr. MEYERS. Well, I don't want to embarrass myself. This is all that this has to do with.

Mr. GRIFFIN. All right. We will go off the record here.

(Discussion off the record.)

Mr. GRIFFIN. Let me state for the record that we have perhaps talked for 2 or 3 minutes off the record here, and Mr. Meyers told us about Jack Ruby's attitude toward people who would come to him and ask him to fix them up with one of his female employees, and Mr. Meyers stated to me that one of the things that Jack Ruby liked about Mr. Meyers was that Mr. Meyers was not one of those kinds of people who had done that.

Let me ask you this question pertaining to Jack Ruby now.

Did Jack do or say anything to you, or do you have any knowledge that Jack was making any money by offering extra curricular services for his girls?

Mr. MEYERS. I can only answer that by telling you, Mr. Griffin, that if this is so, I would be the most surprised man. I personally have absolutely no knowledge or indication of this in any shape, manner, or form, and my reason for being so positive is that I don't think Jack ever lied to me. He would have no reason to lie to me in any of our conversations, and that he made it a point to tell me that one of the things that he detested about people who would try to impose on their friendship with him to get him to influence any of the girls in his club to go with them.

He made it a point to tell me that he didn't approve of this type of thing. He said what they do when they are out of here is their business.

Mr. GRIFFIN. Do you have any indication, any information, that Jack Ruby was a homosexual.

Mr. MEYERS. I have been asked that question by the FBI. If Jack Ruby is a homosexual, I know absolutely nothing about it. He certainly never indicated to me in any shape, manner, or form.

Mr. GRIFFIN. Now, let me now switch from Jack Ruby to some of your own activities. Let me ask you have you ever been a member of the Communist Party?

Mr. MEYERS. No.

Mr. GRIFFIN. Have you ever been a member of any political group, let me state it, have you ever been a member of any group who lobbied for any bills or——

Mr. MEYERS. Let me answer by telling you this. I have a daughter who is a nuclear chemist and who has worked at Argonne and various nuclear reactors. I have a son who was in the ASA for a couple of years.

Mr. GRIFFIN. What is the ASA?

Mr. MEYERS. Army Security Agency, who had a crypto clearance and I and my wife and my family and my wife's family have been investigated two or three times by various agencies who have to do with these things, and there is absolutely no record of any subversive, Communist, or neopolitical organization or any of this type.

Now, I will answer these questions one by one as you ask them of me if you want me to, but these facts have already been established through my son and my daughter.

You see, when Vicki went to work for Argonne, she had to get a security clearance, and Ralph was in this operation, Ralph was stationed someplace outside of Turkey, and to this day he can't tell me what he did. I said, "Ralph, what were you actually doing." He said, "Dad, if you don't ask me I won't have to lie to you."

Mr. GRIFFIN. Did you see Jack Ruby at any time on Sunday, November 24?

Mr. MEYERS. No.

Mr. GRIFFIN. Have you seen Jack Ruby at any time since November 24?

Mr. MEYERS. I have been tempted, but I decided the thing to do is to stay away from him. I have been to Dallas any number of times since, but I don't see where I could do him any good by seeing him, and I certainly can't do myself any good by seeing him. He doesn't need me.

I will tell you this. Had I been called—for any reason had I been called to testify at his trial, I would have testified.

Mr. GRIFFIN. Have you ever seen a gun in Jack Ruby's possession?

Mr. MEYERS. You mean in his pocket.

Mr. GRIFFIN. Either in his pocket or——

Mr. MEYERS. I have seen a gun in his hands.

Mr. GRIFFIN. On how many different occasions?

Mr. MEYERS. One occasion I remember distinctly. I saw on one of my trips to Dallas—I don't remember which one it was—I stayed with Jack until he closed the club and then we went from there and got his car and went to have some coffee or something, and then we said goodby. He went home and I went home. When he left the club he had a money pouch, I suppose you would call it, and he always kept his car in the garage adjacent to his club. He opened the trunk

of his car and opened a little bag that looked to me like a little airplane bag, and he put the pouch in this bag, and a gun.

Now, I am actually trying to remember, although I am almost positive the gun was in the bag. In other words, I don't think he took the gun out of his pocket and put it in the bag. I think it was in the bag and then I said to him, "Jack, why do you carry that damn thing?" He said, "Well, you never know. You have got money around," and so forth and so on.

I said, "Well, it is yours. You do what you want to. Include me out."

I have a very healthy respect and fear for those things.

Now, the gentlemen from the FBI asked me if I knew whether Jack Ruby carried a gun, and the answer I would have to give you is the same I gave them. I don't know. I don't know if they were carrying a gun. They had their coats on. Maybe he did have a gun, maybe he didn't. I would have no way of knowing.

Mr. GRIFFIN. In your conversation with Jack Ruby Thursday night, November 21, at the Dallas Cabana, do you recall an incident in which Jack Ruby was angry at the headwaiter?

Mr. MEYERS. No; I don't. I really don't.

Mr. GRIFFIN. I want to ask you—

Mr. MEYERS. That this happened while he was at the table with me?

Mr. GRIFFIN. I don't know. I am asking you if you recall it?

Mr. MEYERS. I don't recall it. I have no recollection of it.

Mr. GRIFFIN. I am going to ask you if you can identify for us a couple of people—a person by the name of Elsa Hacker?

Mr. MEYERS. Yes; how in the hell would she get into this?

Mr. GRIFFIN. Is this a business associate?

Mr. MEYERS. No; this is a friend.

Mr. GRIFFIN. A person by the name of William Heiman?

Mr. MEYERS. William Heiman?

Mr. GRIFFIN. H-e-i-m-a-n.

Mr. MEYERS. He was my former employer.

Mr. GRIFFIN. A person by the name of Chris Diaz Carlos or Carllos.

Mr. MEYERS. Who?

Mr. GRIFFIN. Chris Diaz Carllos, Puerto Rico. Do you know any people in Puerto Rico?

Mr. MEYERS. No; nobody. That is, I don't know—offhand I couldn't tell you of anybody I know in Puerto Rico.

I have got to ask you this question. How did Elsa Hacker get into this thing?

Mr. GRIFFIN. I can't answer the question for you.

Mr. MEYERS. If there was anything more farfetched, this would be it.

Mr. GRIFFIN. I say I can't answer that.

Mr. MEYERS. Oh, my goodness.

Mr. GRIFFIN. Is there anything else that you can think of that we haven't discussed here which you think might be relevant?

Mr. MEYERS. Really not—I mean—we have talked about it. The only thing that I discussed with the FBI other than what you and I have talked about is, of course, my personal feelings about Jack, and I have given you indications of these as I have gone along.

Mr. GRIFFIN. I don't believe I have any more questions. I want to thank you very much for coming here. You have been very helpful to us.

Mr. MEYERS. Fine, I hope so.

Mr. GRIFFIN. I hope we haven't interrupted your schedule too much.

Mr. MEYERS. Just took a day out of my life, that is all.

Mr. GRIFFIN. Okay, fine.

Mr. MEYERS. I don't think I have left anything out of any consequence, actually. There is really nothing. I tried to think if there is anything that I could add to this and I can't, other than, as I say, my own personal opinion of what the heck went on, this is beside the point, because it is all over and done with, more or less. That is right.

Mr. GRIFFIN. Thank you very much.

AFFIDAVIT OF WILLIAM KLINE

The following affidavit was executed by William Kline on July 31, 1964.

PRESIDENT'S COMMISSION
ON THE ASSASSINATION OF
PRESIDENT JOHN F. KENNEDY

AFFIDAVIT

STATE OF TEXAS,
County of Webb, ss:

William Kline, being duly sworn, deposes and says that:

1. I am Assistant Agent in Charge, United States Customs, Laredo, Texas.
 2. Subsequent to the assassination of President John F. Kennedy, I received many telephone inquiries from news reporters from various parts of the United States.
 3. I do not recall being interviewed by Harold Feldman who I am informed represented the *New York Post*, nor do I recall being interviewed by any person identifying himself as being employed by the "Nation Magazine."
 4. With respect to Lee Harvey Oswald, I have no personal knowledge whatsoever of any check made on him by the United States Public Health Service, Laredo, Texas, either upon his entry into or exit from Mexico in 1963.
 5. I have no personal knowledge whatsoever that any agency of the United States Government maintained a surveillance of Oswald's movements, and I have never indicated to the contrary to any news reporters.
- Signed this 31st day of July 1964.

(S) William Kline,
WILLIAM KLINE.

AFFIDAVIT OF ORAN PUGH

The following affidavit was executed by Oran Pugh on August 26, 1964.

PRESIDENT'S COMMISSION
ON THE ASSASSINATION OF
PRESIDENT JOHN F. KENNEDY

AFFIDAVIT

STATE OF TEXAS,
County of Webb, ss:

Oran Pugh, being duly sworn, deposes and says that:

1. I am Agent in Charge, United States Customs, Laredo, Texas.
2. Subsequent to the assassination of President John F. Kennedy, I received many telephone inquiries from news reporters from various parts of the United States.
3. I do not recall being interviewed by Harold Feldman who I am informed represented the *New York Post*, nor do I recall being interviewed by any person identifying himself as being employed by the "Nation Magazine."
4. In any event, all information supplied by me to news reporters was not based upon my personal knowledge; rather, all such information was supplied to me by my assistant, William Kline.
5. I recall having advised news reporters of the following information:
 - (a) United States citizens are not required to register or check-in with the Immigration and Naturalization Service either on entry to or exit from Mexico.
 - (b) Lee Harvey Oswald checked into the United States Public Health Service, International Bridge, Laredo, Texas, upon his re-entry into the United States in October 1963.
 - (c) The Immigration and Naturalization Service does not presently have, nor has it ever maintained a file containing information concerning Oswald's trip to Mexico in 1963.

(d) The Immigration and Naturalization Service maintained a file with respect to Oswald's visit to the Union of Soviet Socialist Republics, and his return to the United States together with his wife and child.

Signed this 26th day of August 1964.

(S) Oran Pugh,
ORAN PUGH.

AFFIDAVIT OF J. E. CURRY

The following affidavit was executed by J. E. Curry on August 10, 1964.

PRESIDENT'S COMMISSION
ON THE ASSASSINATION OF
PRESIDENT JOHN F. KENNEDY

AFFIDAVIT

STATE OF TEXAS,
County of Dallas, ss:

Before me Eunice Sorrells, a notary public in and for said County, State of Texas, on this day personally appeared J. E. Curry, chief of police, Dallas Police Department, who, after being by me duly sworn, on oath deposes and says:

This affidavit is prepared in response to a letter of August 5, 1964, from J. Lee Rankin, General Counsel of the President's Commission on the assassination of President Kennedy.

Mr. Rankin pointed out in his letter that on page 175 of my testimony before the Commission in response to a question by Representative Ford, I stated that during a showup of Lee Harvey Oswald a witness to whom Oswald was shown did not identify him as the person who killed Officer J. D. Tippit.

On page 176 in response to questions by Mr. Rankin I stated that Mrs. Markham did identify Oswald as the man who killed Officer Tippit.

The answer shown to the question posed by Representative Ford that Mrs. Markham did not identify Oswald—is in error. The first time Mrs. Markham was shown Oswald, she positively identified him as the slayer of the officer.

Signed this 10th day of August 1964.

(S) J. E. Curry,
J. E. CURRY.

TESTIMONY OF BRUCE RAY CARLIN

The testimony of Bruce Ray Carlin was taken at 12:35 p.m., on August 24, 1964, at the Federal Building, Fort Worth, Tex., by Mr. Leon D. Hubert, Jr., assistant counsel of the President's Commission.

Mr. HUBERT. This is the deposition of Bruce Carlin.

Mr. Carlin, my name is Leon Hubert. I am a member of the advisory staff of the general counsel of the President's Commission on the Assassination of President Kennedy. Under the provisions of Executive Order 11130 dated November 29, 1963 and the joint resolution of Congress, No. 137, and the rules of procedure adopted by the Commission in conformance with that Executive order and that joint resolution, I have been authorized to take this sworn deposition from you.

I state to you that the general nature of the Commission's inquiry is to ascertain, evaluate and report upon the facts relative to the assassination of President Kennedy and the subsequent violent death of Lee Harvey Oswald.

In particular, as to you, Mr. Carlin, the nature of the inquiry today is to determine what facts you know about the death of Oswald and any other pertinent facts you may know about the general inquiry and about Jack Ruby and his operations and movements and so forth.

I understand that a letter was written to you by Mr. J. Lee Rankin, general counsel of the President's Commission, which however was not delivered because

I don't think they had the right address. That means of course that you have not had written notice of the taking of this deposition and under the rules adopted by the Commission, every witness is entitled to a 3-day written notice before his deposition can be taken, but those rules also provide that that 3-day written notice can be waived if a witness wishes to waive it, and I ask you now, since you have not received the letter, whether you are willing to waive the notice and go ahead and testify now without the notice?

Mr. CARLIN. Yes; I am.

Mr. HUBERT. All right, will you rise then so I may administer the oath.

Do you solemnly swear the testimony you're about to give at this time will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. CARLIN. I do.

Mr. HUBERT. Will you please state your full name, sir?

Mr. CARLIN. Bruce Ray Carlin.

Mr. HUBERT. What is your address, Mr. Carlin?

Mr. CARLIN. 1054 West Allen.

Mr. HUBERT. Fort Worth?

Mr. CARLIN. Yes.

Mr. HUBERT. What is your occupation now, sir?

Mr. CARLIN. I am a salesman.

Mr. HUBERT. Do you work for a company?

Mr. CARLIN. I am contracting on my own in the aluminum business; screens.

Mr. HUBERT. You are self-employed then, is that right?

Mr. CARLIN. You can call it that, what employment that I have.

Mr. HUBERT. What company do you sell for?

Mr. CARLIN. Various companies—whichever one makes me the best deal on the aluminum screens that I sell—Southwest, New Aluminum, Webb Aluminum.

Mr. HUBERT. How long have you been so occupied?

Mr. CARLIN. About 3 weeks.

Mr. HUBERT. What was your employment prior to that?

Mr. CARLIN. Part of the time I worked for the Motel Drug Service. Other than that, I haven't been working.

Mr. HUBERT. Motel what?

Mr. CARLIN. Motel Drug Service.

Mr. HUBERT. What is that?

Mr. CARLIN. We supply sundries to the lobbies of motels for traveling people.

Mr. HUBERT. Were you in Houston on November 21, 1963, that's the day before the President was shot?

Mr. CARLIN. I know I was traveling—the day the President was shot, I was in Louisiana. The day before—I have some newspapers that I got from Houston—I do not know the exact date.

Mr. HUBERT. What were you doing in Houston?

Mr. CARLIN. We were servicing motels. We were servicing motels with drugs for the motels.

Mr. HUBERT. Who was your specific employer there?

Mr. CARLIN. Jerry Bunker.

Mr. HUBERT. Where is he located?

Mr. CARLIN. He lives here in Fort Worth.

Mr. HUBERT. Do you know where?

Mr. CARLIN. Yes, I don't know the name of the street but he did live at Ridgemar Plaza.

Mr. HUBERT. Did he have an office there?

Mr. CARLIN. He uses his apartment as his office.

Mr. HUBERT. You "serviced", you say, various motels?

Mr. CARLIN. Yes.

Mr. HUBERT. Under his direction?

Mr. CARLIN. Yes.

Mr. HUBERT. You actually brought the products there?

Mr. CARLIN. Yes—well, my primary purpose was to sell the accounts. Of course, I did help him service them.

Mr. HUBERT. Did you have an automobile or a truck?

Mr. CARLIN. A station wagon.

Mr. HUBERT. And you carried these sundries around?

Mr. CARLIN. With us; yes.

Mr. HUBERT. And whatever outfit the motel needed, you sold that to them?

Mr. CARLIN. That's right and of course we would put in these cabinets, 5 by 5, in the lobby of the motel and stock it with razor blades or hair spray and headache remedies—all these things that people traveling would need.

Mr. HUBERT. You say "we", who was involved?

Mr. CARLIN. Mr. Bunker; Jerry.

Mr. HUBERT. Did you travel together?

Mr. CARLIN. Yes.

Mr. HUBERT. So that he was with you on November 21?

Mr. CARLIN. Yes.

Mr. HUBERT. And on November 22?

Mr. CARLIN. Yes; on any out-of-town trip I've ever been on, he's been with me.

Mr. HUBERT. Do you specifically recall that you were in Houston on the day before the President was shot?

Mr. CARLIN. I'm trying to recall whether it was the day before. I know I was there a day or so before. I don't know if it was the exact day before.

Mr. HUBERT. You said you were in Louisiana on the day the President was shot?

Mr. CARLIN. Yes.

Mr. HUBERT. What part of Louisiana?

Mr. CARLIN. We were in New Orleans at a large motel and I don't remember the name. We did not sell that particular account, but we were there in the process of selling the account when we got the news that he had been shot and we walked from there into a club that they have in the motel and watched it on TV.

Mr. HUBERT. Did you continue your selling tour then?

Mr. CARLIN. Yes.

Mr. HUBERT. Had you been to New Orleans prior to the 22d, that is to say, immediately prior?

Mr. CARLIN. We were there, I believe, the day before, part of the day before or maybe this was—what I'm thinking is that we drove all night from Houston to New Orleans. Now, this is just like walking across the street last week—you don't remember or you don't know that you're going to have to remember.

Mr. HUBERT. But you do remember you were in New Orleans when the President was shot?

Mr. CARLIN. Yes.

Mr. HUBERT. And that was the first day you had been in New Orleans?

Mr. CARLIN. I believe so.

Mr. HUBERT. And that you had driven all night to arrive in New Orleans on that day?

Mr. CARLIN. Yes.

Mr. HUBERT. And furthermore, I think you said that you had driven from Houston?

Mr. CARLIN. That's correct.

Mr. HUBERT. That would have put you then in Houston on the 21st?

Mr. CARLIN. That's correct.

Mr. HUBERT. Now, you say you were there for the purpose of servicing certain motels?

Mr. CARLIN. Yes.

Mr. HUBERT. Do you remember which ones you serviced?

Mr. CARLIN. In Houston?

Mr. HUBERT. Yes.

Mr. CARLIN. The Vagabond—a very large one downtown—I think The Carriage House, and then a number of smaller ones—five or six smaller motels, which the names of them I don't recall, but that's still not the biggest one—the biggest account down there, and I can't think of it. It's downtown.

Mr. HUBERT. How long were you in Houston altogether?

Mr. CARLIN. Again, I cannot be sure. I would say a day.

Mr. HUBERT. You think you were there only for the 21st or possibly the 20th too?

Mr. CARLIN. It could have been the 20th also. I'm not sure—I can't remember the dates as to when I left or where I was at the time, but I do know I was in Houston before the President was killed and I do know I was in New Orleans the day he was killed, but the exact date, I do not know.

Mr. HUBERT. When did you start that tour from Dallas?

Mr. CARLIN. This—again—as far as the date, I cannot say either.

Mr. HUBERT. Did you go to any other places—you started in Dallas, didn't you?

Mr. CARLIN. I think we did. I think we went to Dallas to pick up the drugs—again—we went different ways. Sometimes we would go to Waco and Austin and then to Houston and sometimes we go from Dallas—the other highway straight down to Houston.

Mr. HUBERT. Had you been out several days?

Mr. CARLIN. Yes; as far as the date that I left or the date that I was in a certain town, I cannot say—again.

Mr. HUBERT. Well, what places did you service in New Orleans?

Mr. CARLIN. Actually—I can take you to them but remembering the names—it seems as though it was The Caravan and then there was one particular one we were trying to sell to which we went back about three times and it was right across from the airport on Airline Road.

Mr. HUBERT. The Hilton Inn?

Mr. CARLIN. Sir?

Mr. HUBERT. Was it The Hilton Inn?

Mr. CARLIN. Yes; I believe it was.

Mr. HUBERT. How long did you stay in New Orleans?

Mr. CARLIN. Again—a day and a half or 2 days. When we took these trips, it was a mad trip—we worked all day and would drive all night.

Mr. HUBERT. Did you stay at any place in New Orleans?

Mr. CARLIN. Yes; at the Sugar Bowl.

Mr. HUBERT. The Sugar Bowl Motel?

Mr. CARLIN. Yes.

Mr. HUBERT. When did you leave it?

Mr. CARLIN. We stayed all night there and we left the next day after making a number of calls, we left the next day.

Mr. HUBERT. Do you remember about what time you left?

Mr. CARLIN. No; I don't. It seems as though, and you probably know better than I do—the President was killed on the day that we left. It seems as though it was this way, but I'm not sure, but probably if I had time to think it out and talk to Mr. Bunker, I could tell more specifically. I know he does have the dates that each account was serviced.

Mr. HUBERT. It's your thought that you possibly spent the night of the 21st at the Sugar Bowl Motel in New Orleans or the night of the day the President was shot, in that motel?

Mr. CARLIN. I don't recall. I know we spent a night in New Orleans. I know I was there and it was raining at the time the President was killed, and I know it was in the afternoon. As far as the specific date, I do not know.

Mr. HUBERT. But did you spend the night in New Orleans after the President was killed or before? Was it the night before or the night of the shooting that you spent the night?

Mr. CARLIN. I think—I am not definitely sure, but I think the day he was killed—that night we spent in New Orleans.

Mr. HUBERT. And the night before you drove up from Houston?

Mr. CARLIN. It seems like the night before we drove up and we checked into a motel and we changed clothes and went to work.

Mr. HUBERT. Do you remember when you were in Houston that the President visited there, would that help your memory any?

Mr. CARLIN. That the President visited in Houston?

Mr. HUBERT. That the President visited in Houston.

Mr. CARLIN. At the time that I was in Houston I don't recall him visiting there; no. He may have, but I don't recall it now.

Mr. HUBERT. Where did you go from New Orleans?

Mr. CARLIN. We drove back. I think we came through East Texas—we drove around—no, we couldn't have gone through East Texas, could we?

Mr. HUBERT. Well, did you stop any place outside of New Orleans?

Mr. CARLIN. Other than to eat, I don't believe so.

Mr. HUBERT. Do you remember what time you got to Dallas?

Mr. CARLIN. I don't think we came to Dallas, or did we—I really don't know. Oh, wait a minute—it seems that we came to Dallas to pick Mitzl up.

Mr. HUBERT. To pick who up?

Mr. CARLIN. Karen—I'm sorry.

Mr. HUBERT. That would have been a Saturday night then?

Mr. CARLIN. Well.

Mr. HUBERT. It was the day after the President was shot?

Mr. CARLIN. We have taken so many trips and they were all so wild—I had no idea we would have to remember dates, times, or places.

Mr. HUBERT. But it was the day after the President was shot that you got back to Dallas or Fort Worth?

Mr. CARLIN. I believe so.

Mr. HUBERT. Do you remember about what time it was?

Mr. CARLIN. No; I do not. I can't even remember the circumstances under which we came back on—why we came back quickly—except that we always make every trip in a hurry.

Mr. HUBERT. Well, you recall that it was on Saturday the 23d of November, that you came to Dallas from Fort Worth with your wife, Karen?

Mr. CARLIN. I don't recall the date or which circumstances or what reason that I come to Dallas. Now, can you tell me what you're talking about specifically?

Mr. HUBERT. Do you recall that there was a question as to whether or not your wife Karen would be working at the Carousal that night?

Mr. CARLIN. I do recall it, but I do not know the date. I know one night we went over to see if she was going to work; yes.

Mr. HUBERT. And I think from your previous deposition you fixed the time of that?

Mr. CARLIN. Over quite a bit of thinking, but as far as positively—as I told Mr. Conkle—we cannot remember dates or times, especially this far back. We had no idea we would have to remember them.

Mr. HUBERT. But that was the same night you came back or arrived back in Fort Worth from this trip to New Orleans—from New Orleans?

Mr. CARLIN. The night we went to see if she was going to work after Kennedy was killed?

Mr. HUBERT. Yes.

Mr. CARLIN. No; I don't think so—let me see—no; I don't believe it was.

Mr. HUBERT. Well, now you remember that Ruby shot Oswald on Sunday the 24th?

Mr. CARLIN. I know I was home on that day.

Mr. HUBERT. All right. Now, the night before that, you and your wife had come to Dallas and you had called Ruby and as a matter of fact, made an arrangement to borrow \$5 from him?

Mr. CARLIN. That's correct.

Mr. HUBERT. Now, was it on that day that you had driven from New Orleans to Fort Worth?

Mr. CARLIN. It seems as though it would be, but I cannot say definitely whether it was or not. I really don't remember whether that was the day.

Mr. HUBERT. Well, do you remember that you left Fort Worth to come to Dallas only a short time after having arrived back from this trip?

Mr. CARLIN. As far as my trip to Houston and New Orleans and back in relation with Ruby and the time he killed Oswald, had anyone not said something to remind me of the two, I would never put them anywhere near each other, but I guess after talking to you—I guess they were near to each other, but I cannot say the exact times that I left and what times I was in and at what time or the exact time I came back. I do know it was very near there.

Mr. HUBERT. Well, first of all, let's fix it this way—that you were definitely in New Orleans the day the President was shot?

Mr. CARLIN. Definitely so. This is the only thing I know definitely—that I can definitely say.

Mr. HUBERT. Would it be possible that you drove back from New Orleans to Dallas on that day?

Mr. CARLIN. Yes; it's definitely possible, but as far as knowing for sure whether I did or not, I cannot say.

Mr. HUBERT. Did you drive back from New Orleans to Fort Worth by day or by night?

Mr. CARLIN. I believe at night, but again, we've made many of these trips to the same places, stay in the same places, and calling on the same accounts.

Mr. HUBERT. Well, what I was trying to get at was whether or not you would remember this rather long trip from New Orleans to Dallas and on to Fort Worth, followed up by a trip with your wife back to Dallas on the night you borrowed the \$5 and whether all that occurred on the same day, or do you recall what that day was?

Mr. CARLIN. Well, I understand what you're getting at, but as far as saying whether it came on the same day, I can't recall. By the way, the account I was trying to think of in Houston is The Tidelands, if this means anything. I know that we were depressed as far as the President being killed and I remember making the statement I didn't feel much like working, but on the other hand, I don't recall whether we left just after finding out that the President was killed, and drove back then, or we might have started during the daytime and drove back in there early in the morning and then going to bed and getting up the next day and driving to Dallas. I'm saying I don't recall whether this was the way it was or not.

Mr. HUBERT. Do you otherwise remember what you did on Saturday the 23d, the day after the President was shot?

Mr. CARLIN. No; I do not. I don't even remember where I was at that time.

Mr. HUBERT. Well, we do know that you were in Fort Worth, at least in the evening?

Mr. CARLIN. Yes.

Mr. HUBERT. Because you came back to Dallas with your wife?

Mr. CARLIN. Definitely so; yes.

Mr. HUBERT. Does that refresh your memory as to whether you had been at home all day on Saturday?

Mr. CARLIN. I'm sorry—it doesn't. I'm not evading anything, I just cannot remember the specific time of what I was doing. I know as far as the incident of going to Dallas and I know what I did when I went to New Orleans and Houston, but as far as the particular date that you're thinking of now—I can't recall what I did.

Mr. HUBERT. Well, the records of the Sugar Bowl Motel would show the night you were there, wouldn't it?

Mr. CARLIN. Definitely so.

Mr. HUBERT. And it would have been the next day that you drove back?

Mr. CARLIN. I feel sure.

Mr. HUBERT. So—no, it was not necessarily the next day—you think it might have been the next day that you drove back to Dallas or Fort Worth?

Mr. CARLIN. Now, we have at times worked New Orleans first and come back through Houston. I don't think we did at this particular time, but again, we've made these trips a number of times, and both of us being very tired at all times and not even caring what time it was or where we were, we were trying to get the work done and get back.

Mr. HUBERT. But you were in New Orleans at the time you heard the news about the shooting of the President?

Mr. CARLIN. Yes.

Mr. HUBERT. And you say you were at some particular place?

Mr. CARLIN. Yes; I was in a large motel.

Mr. HUBERT. Do you remember the name of that one?

Mr. CARLIN. It was on the same highway that the Hilton Inn is on but downtown, down near town. It was right on the—it's near the Thunderbird Motel, but it's not the Thunderbird Motel.

Mr. HUBERT. The Tamanaca?

Mr. CARLIN. Sir?

Mr. HUBERT. The Tamanaca?

Mr. CARLIN. I know The Tamanaca is right in there but I don't recall if that's the one. It's a very large motel, very nice, and the restaurant sits right on the street.

Mr. HUBERT. Could it be Motel DeVille?

Mr. CARLIN. Yes; I believe so—I believe that is it. At the time of hearing that the President was assassinated, I was in the manager's office and he was busy, and we left there and walked right around the corner to a private club, which the doors were open and the TV was on, and we sat and watched the news report.

Mr. HUBERT. Do you recall what you did after and how long you stayed there, and what you did after you left that place?

Mr. CARLIN. No; not exactly. We possibly could have left right after that for Fort Worth, or we might have spent the night and left the next morning. As far as saying specifically, I do not know. There have been times when I would come in from a trip and get to Dallas in time to pick Karen up, and there have been times I have come in at 3 or 4 o'clock in the morning—sometimes even daylight.

Mr. HUBERT. Do you remember how you traveled from Fort Worth to Dallas, that is, the night of the 23d?

Mr. CARLIN. Yes.

Mr. HUBERT. Where did you go? How did you go?

Mr. CARLIN. You mean—was I in a car?

Mr. HUBERT. Yes.

Mr. CARLIN. Tammi True brought us.

Mr. HUBERT. She brought you from Fort Worth to Dallas?

Mr. CARLIN. Yes.

Mr. HUBERT. What was the purpose of coming in?

Mr. CARLIN. Karen didn't know if she had to go to work or not, and I believe—I'm not sure of this, but it seems as though Jack Ruby owed Tammi some money or something and she was going to change jobs and she wanted the money.

Mr. HUBERT. Where did you go when you got there?

Mr. CARLIN. We went to the club first and parked at the parking lot between the Colony and Carousel.

Mr. HUBERT. That's Nichols Garage, isn't it?

Mr. CARLIN. Yes. The door was locked, so we went to the Colony.

Mr. HUBERT. Did you have anything to drink then?

Mr. CARLIN. Did I have anything to drink?

Mr. HUBERT. Yes.

Mr. CARLIN. I don't recall. I know that we were practically broke, just some change is all we had, so I don't know whether we had anything to drink or not.

Mr. HUBERT. You don't recall that at all?

Mr. CARLIN. No. I know for sure that at least Karen drank a coke and possibly I did—I don't know if I had any alcohol at the time or not.

Mr. HUBERT. But whatever you did have, you paid for it?

Mr. CARLIN. Again, I don't recall—Karen had some change in her pocket, in her purse.

Mr. HUBERT. Well, it would have been either you or Karen?

Mr. CARLIN. I believe so—I'm not sure. At times we never paid for anything when we went in the club. He just gave us a drink.

Mr. HUBERT. Did you know a man by the name of Larry Crafard?

Mr. CARLIN. Crafard?

Mr. HUBERT. Who worked at the Carousel?

Mr. CARLIN. There was a man by the name of Larry—I don't know his last name.

Mr. HUBERT. Did you have occasion to call him on Friday night, the 22d, the night the President was shot?

Mr. CARLIN. The night the President was shot?

Mr. HUBERT. Yes.

Mr. CARLIN. No.

Mr. HUBERT. Did you have occasion to talk to him on the night before the President was shot?

Mr. CARLIN. I don't think I was in town the night before he was shot.

Mr. HUBERT. No; this would have been a long distance call?

Mr. CARLIN. No. While I was in Houston, I believe I called Karen—I don't know if it was this particular trip or not, but I did notice some receipts from the telephone company that I had that there was a call from Houston to Dallas charged to my phone. The reason I know this is so because I turned the receipts over to my CPA the other day and he was asking which calls were business and which ones were not and I had to mark them off.

Mr. HUBERT. Well, do you recall a call received by you at The Vagabond Motel in Houston at 4:38 on the morning of the 21st. and that would have been Thursday?

Mr. CARLIN. I remember I was called that morning; yes.

Mr. HUBERT. Who called you, do you remember?

Mr. CARLIN. I believe Karen called me.

Mr. HUBERT. And do you remember a phone call at 7:30 that same night, that's the night prior to the shooting of the President? That's on Thursday night—that you called the Carousel Club and spoke for approximately 3 minutes to a person named Larry?

Mr. CARLIN. No; definitely not.

Mr. HUBERT. You did not make any such call on the telephone the night before the President was killed?

Mr. CARLIN. I don't know if I made a call. If I did, it was not to Larry. Now, I called at various times and trips and I do not know whether it was this one—this particular time, but I do remember calling and asking for Karen and having to wait a length of time for her to come to the phone, but as far as talking to anyone in conversation, I don't know even who answered the phone. I can't even say if it was that particular time that I called. I do know I have called and Andrew answered the phone, and he's the one I thought answered it, but I don't know exactly when it was that I called.

Mr. HUBERT. But you can be quite certain, I believe from what you have testified, that you did not visit the Carousel Club on the night the President was shot, that is, Friday night?

Mr. CARLIN. Not unless we drove back and got back in time to pick Karen up, but I don't think we did.

Mr. HUBERT. Do you remember going to pick her up?

Mr. CARLIN. I remember a number of times coming back from a trip and picking her up.

Mr. HUBERT. No; I mean then.

Mr. CARLIN. No; I do not remember picking her up that night.

Mr. HUBERT. Do you remember when you first talked to her about the President's death?

Mr. CARLIN. No; I don't recall the first time I mentioned it to her—probably as soon as I came home.

Mr. HUBERT. Do you remember what time that was?

Mr. CARLIN. No; I don't. It would depend on what time we left from New Orleans. I could guess, if I knew what time I left New Orleans.

Mr. HUBERT. Is it your thought that you left New Orleans shortly after checking out of the Sugar Bowl?

Mr. CARLIN. At times we would, but other times, to save money, we would check out and service one or two accounts and then leave.

Mr. HUBERT. But you don't know about this time?

Mr. CARLIN. I feel sure all of our accounts were serviced when we checked out, possibly they weren't.

Mr. HUBERT. That is to say that you checked out prior to hearing of the President's death?

Mr. CARLIN. No; I think we were still in the motel at that time.

Mr. HUBERT. Well, you remember then that you went to the Sugar Bowl Motel after looking at the television concerning the President's death?

Mr. CARLIN. I think so; yes.

Mr. HUBERT. So that meant you would have checked out of the Sugar Bowl Motel some time in the afternoon or night of Friday, November 22?

Mr. CARLIN. I misunderstood.

Mr. HUBERT. I say—that means that you would have checked out from the Sugar Bowl Motel after the President's death, that is to say, during the afternoon or night of the 22d?

Mr. CARLIN. Unless we did not check out and spent the night there.

Mr. HUBERT. Yes; in which case you would have checked out the following morning?

Mr. CARLIN. Right.

Mr. HUBERT. Which would have been Saturday?

Mr. CARLIN. Right. The Sugar Bowl records will show that, because I don't know.

Mr. HUBERT. Do you know a man named Pachey Nespica?

Mr. CARLIN. No; I don't—not to my knowledge. Wait a minute—Nespica?

Mr. HUBERT. Nespica.

Mr. CARLIN. Is he with a greeting card company?

Mr. HUBERT. I don't know. There is an indication that you spoke to him on November 6 and that he is in Cleveland, Ohio?

Mr. CARLIN. Yes—I don't know him, but I do know I tried to call him. We were still trying to get a franchise on greeting cards from him.

Mr. HUBERT. How did you obtain his number and name?

Mr. CARLIN. This—I don't remember either. It seems as though a salesman gave it to me.

Mr. HUBERT. When was that—about?

Mr. CARLIN. When did I call?

Mr. HUBERT. Yes.

Mr. CARLIN. When did I call?

Mr. HUBERT. Yes.

Mr. CARLIN. I just know it was in the morning some time. I don't remember the date that I called. I also noticed that name on the receipt from the telephone company when I was giving it to the CPA.

Mr. HUBERT. How long did your conversation with him last?

Mr. CARLIN. I don't recall—just as quick as I could get off the phone, knowing what it cost.

Mr. HUBERT. And it was about these greeting cards and you wanted to be able to sell?

Mr. CARLIN. Yes.

Mr. HUBERT. Did you know him prior to that time?

Mr. CARLIN. No; I did not.

Mr. HUBERT. You say you had obtained his name and telephone number from someone?

Mr. CARLIN. Yes, I'm trying to think where. It seems as though a salesman gave it to me either in one of the stores or possibly the American Greeting Card salesman. I called him a number of times and he might have given it to me.

Mr. HUBERT. Where did you call from, do you remember?

Mr. CARLIN. You mean—to Nespica?

Mr. HUBERT. Yes.

Mr. CARLIN. From my home.

Mr. HUBERT. Was that an enterprise that you had with Bunker or were you alone in that?

Mr. CARLIN. Well, Bunker and I were trying to get it—well, I don't know whether I told him, but it seems as though I told him I was trying to get it. I know we had talked about it, but I don't know that he was in it.

Mr. HUBERT. You were working for him, he wasn't working for you, was he?

Mr. CARLIN. Well, you can say "working for him"—it was an agreement where I helped him build his business and if I did he would give me a job.

Mr. HUBERT. Would he pay for these telephone calls?

Mr. CARLIN. No; he did not pay for those.

Mr. HUBERT. Was he supposed to have?

Mr. CARLIN. Well, there are some calls that were made on my phone that he was supposed to pay for, but this is not one of them.

Mr. HUBERT. What about Cameron King, can you tell us about him?

Mr. CARLIN. He was my—oh—I worked for Friendship Greetings, and at that

time I wasn't working for Cameron King, but he was my boss when I worked for Friendship Greetings.

Mr. HUBERT. Who is Cameron King?

Mr. CARLIN. He was the sales supervisor over this area for Friendship Greetings.

Mr. HUBERT. Is that a corporation?

Mr. CARLIN. Yes—from Kansas.

Mr. HUBERT. The record shows here that you called him on September 27. Do you recall that—that you called him at Farmers Branch, Tex.?

Mr. CARLIN. I called Cameron?

Mr. HUBERT. Yes.

Mr. CARLIN. I don't recall the times I called him—I don't recall that that time I called him, but I do know that many, many times I called him.

Mr. HUBERT. What were these conversations about?

Mr. CARLIN. To my knowledge, I guess that would be in regard to Friendship Greetings or maybe a check that they owed me or a phone bill that they had agreed to pay that they didn't ever pay.

Mr. HUBERT. Well, you called him on September 27 twice—at 2:45 p.m. and at 5:53 p.m.?

Mr. CARLIN. On September the 27th? What day was that in regard to that particular time? Maybe I can recall the reason for calling him.

Mr. HUBERT. This was on September the 27th and September the 27th was a Friday. That's September 27, 1963.

Mr. CARLIN. That 27th would have been after I made the trip; right?

Mr. HUBERT. After you made what trip?

Mr. CARLIN. After the trip to New Orleans or before.

Mr. HUBERT. September the 27th would have been almost 2 months before the President was shot?

Mr. CARLIN. No; I don't recall why I would call him.

Mr. HUBERT. Is there anything that you can think of that would make you call him twice in one day?

Mr. CARLIN. Well, a number of things—I can't recall particularly why, but if you will notice the records show that he had been called a number of times and the last few months two times a day. I worked for the man.

Mr. HUBERT. Were you working for him then?

Mr. CARLIN. In September?

Mr. HUBERT. Yes.

Mr. CARLIN. I don't recall—I believe so—I believe I was, but I'm not sure.

Mr. HUBERT. When did you start with Bunker?

Mr. CARLIN. I've been working with Bunker for about 2 years.

Mr. HUBERT. So, you would be working with Cameron King and Bunker at the same time?

Mr. CARLIN. Yes. There were times—a month or 2 or 3 months that I didn't do anything with Bunker and there were times when he wanted a few more accounts and I could financially handle them and he would come to me and want me to go sell these accounts and we would get behind in servicing, and he would come to me and we would go service them.

Mr. HUBERT. Did you make any money with it?

Mr. CARLIN. Very little with Cameron. He paid my expenses and that's about the most of it. At times he would give us various sundries that we needed and at times he would give me \$5 or \$10, but that was nothing to say I made any money. It was a promise deal that I would get a percent of the company for building it and a job.

Mr. HUBERT. What about a man named Johnny Ammons [spelling] A-m-m-o-n-s?

Mr. CARLIN. Yes; I know him.

Mr. HUBERT. Who is he?

Mr. CARLIN. He owns a service station. The only reason I would be calling him would be trying to get a motor for a car that I owned at the time that the motor was out.

Mr. HUBERT. Do you recall speaking to him?

Mr. CARLIN. Yes; but I don't know exactly when.

Mr. HUBERT. Did you have any other association with him?

Mr. CARLIN. No; only about 4 or 5 years ago I was at his home once, again, dealing with a car. He buys and sells cars.

Mr. HUBERT. You spoke to him on the 30th of October just after noon, on the 30th of October. Do you recall whether you had ever spoken to him prior to that date, or do you recall when was the last time you spoke to him prior to that date?

Mr. CARLIN. I don't recall the last time I spoke to him prior to that. That particular call, I think, was in regard to a head for a motor that was gone out on the one I had.

Mr. HUBERT. Would you say you hadn't spoken to him for a year? That's what I gather?

Mr. CARLIN. I would say at least a year and maybe more.

Mr. HUBERT. You had no contact with him for at least a year up until that time?

Mr. CARLIN. No.

Mr. HUBERT. Have you had any contact with him since?

Mr. CARLIN. No.

Mr. HUBERT. Who put in the call to Ruby on Saturday night when you were asking for the \$5 from him?

Mr. CARLIN. The first call—Karen went to the phone booth and made, and the second call was made from the parking lot, and I don't recall whether it was Karen or I that called him. It might have even been Tammi that dialed the number.

Mr. HUBERT. What place was called?

Mr. CARLIN. His home—to my knowledge—I talked to him, and I assumed that he was at home.

Mr. HUBERT. Yes?

Mr. CARLIN. It seems as though we had to make two calls—I don't know whether he—no, maybe it was just one and I talked to him after Karen did. Maybe that's the way it was—I don't recall.

Mr. HUBERT. You think it was at his home rather than any place else?

Mr. CARLIN. I assume it was. I did not dial the number.

Mr. HUBERT. How much did you ask him for that night or did Karen ask him for, or both?

Mr. CARLIN. Well, we didn't ask him for the \$5. We told him that we needed the money and we came over here thinking that he would be open and we could get the money, and I don't know what he said to her, but he upset her—I don't know whether he hung up on her and she dialed the number back or someone dialed the number back, but he upset her and I took the phone and I said something to the effect that he had been very good about letting her have money when she needed it and we appreciated it, and we were in a jam, and that we came over without any money and needed it the next day, and he said, "Well, Bruce, I don't owe that girl anything." He said, "I'll give her money when she has money due," and he said, "I don't owe her anything," and I said, "I realize that but we are in a jam," and he said, "Well, let me speak to—" the man there—whatever his name was—I don't recall whether he called him by name or not, "and I'll tell him to give you \$5." He said it in a tone of voice as though he was upset and mad because we had called. Oh, he said, "I can't come down there, I've got people here and company," and I did hear people talking.

Mr. HUBERT. In other words, he was reluctant to give you the \$5, to lend you the \$5?

Mr. CARLIN. Not so much reluctant. He offered it, but I didn't think to ask him to let us borrow the money from somebody there and pay him back. I didn't think of that, he did.

Mr. HUBERT. But his position was that he didn't owe any money, so he was lending the money?

Mr. CARLIN. Well, he owed it; I believe. Again—I'm not sure, but he said, "I don't owe that girl a thing." In other words—"I've done enough for her," and I don't mean as far as money. He said, "I've done her enough favors and I don't owe her anything."

Mr. HUBERT. You mean he didn't owe her the obligation of advancing her salary?

Mr. CARLIN. Yes; that's what I mean, and then he said—again, disgusted, but like he didn't mind, that he just didn't want to talk. He said, "Let me talk to the guy there and I'll get him to give you \$5 and I can give it back to him."

Mr. HUBERT. And you took it to mean then that that was all he was going to let you have on the advanced salary, is that right?

Mr. CARLIN. No; I don't know whether he said it to me or to her, but he said to call him tomorrow and he would send us some more—I believe was the terms he used, or call him tomorrow he would send us some.

Mr. HUBERT. Did he explain why he wanted you to call him tomorrow or why he would be in a position to give you some on Sunday and not on Saturday?

Mr. CARLIN. Yes; he said he was busy and didn't have time to come down there to give it to us then. He said he had company.

Mr. HUBERT. In other words, you did ask for more money on Saturday night than the \$5?

Mr. CARLIN. I asked for no specific amount. Karen may have the first time she talked to him or at that time before I started talking to him, but I asked for no specific amount.

Mr. HUBERT. Did you give any consideration to borrowing from your family or friends or other people rather than Ruby?

Mr. CARLIN. Well, yes; I probably could have except for two things: First, I had no car to go somewhere to borrow it, and second, it was fairly late at night, and third, I was in Dallas where I could not get back to borrow money that late at night.

Mr. HUBERT. You say you made the call from the garage, but you had previously been at the Colony Club, had you not?

Mr. CARLIN. That's correct.

Mr. HUBERT. Why didn't you make the call from the Colony Club?

Mr. CARLIN. I remember now—the call was made from the Colony Club and she said that he was very upset and rude to her and we went back down to see—it seems as though Andy was in here somewhere, at least he was supposed to be at the club or something—that's what he said. At least, Karen told me he said Andrew was supposed to be at the club. After upsetting her and hanging the phone up, we went down to see if the club was open and we knocked on the door and no one was there, and we went back to the parking lot again and called because it was downstairs and the Colony was upstairs and farther away, and much more noise.

Mr. HUBERT. Did you have any connection with an outfit called Banker's Drug Co. or Bankers' Drugs?

Mr. CARLIN. Bankers' Drugs—not to my knowledge. You might tell me some more about them, if I did?

Mr. HUBERT. Well, you mentioned that when you were servicing these little motels, these setups in motels, that some of it was with drugs like aspirin and so forth?

Mr. CARLIN. Yes; definitely so. That's what we did.

Mr. HUBERT. Does that refresh your recollection or refresh your memory of that concerning any possible connection you had with Bankers' Drugs?

Mr. CARLIN. I realize that that would be the only way that I would have a connection with Bankers' Drugs.

Mr. HUBERT. Does it mean anything to you now?

Mr. CARLIN. No.

Mr. HUBERT. What about Southwestern Drugs?

Mr. CARLIN. Yes; we've done business with Southwestern Drugs.

Mr. HUBERT. What is that—a wholesale house?

Mr. CARLIN. Yes.

Mr. HUBERT. Where is it located?

Mr. CARLIN. There's one here in Fort Worth. There is a little drug company in Houston that we bought a number of things from because we ran short, but I don't know if it was at this particular time, or if this was the name of the company.

Mr. HUBERT. Did you ever have any dealings with selling any sort of other drugs of miscellaneous character to Jack Ruby?

Mr. CARLIN. Again—the question, sir?

Mr. HUBERT. Did you have any occasion to sell any kind of miscellaneous drugs of that sort to Jack Ruby?

Mr. CARLIN. No; I certainly did not, and I don't know if you are referring to this or not, but we handle nothing in the line of narcotics.

Mr. HUBERT. Oh, I'm not talking about that.

Mr. CARLIN. No.

Mr. HUBERT. I'm talking about the line of business that you were in selling these sundry items?

Mr. CARLIN. No.

Mr. HUBERT. I'm talking about aspirin and things like that?

Mr. CARLIN. No. I sold none to Ruby. I don't know if you might be referring to this particular time, but at some time or other someone said they needed something, they said that they were out of something and I got something out of the car and gave it to someone, and I don't know if at this particular time if it was Jack Ruby or somebody in the club.

Mr. HUBERT. Was that the Carousel?

Mr. CARLIN. I don't know—I just remember that Jerry said, "Why don't you get something out of the car and give it to he or she"—or something like that.

Mr. HUBERT. That was Jerry Bunker?

Mr. CARLIN. I think that's the time. Again, it could have been here in Fort Worth. I recall that he did send me to the car to get something for somebody that was out of something. It might have been hair oil or something.

Mr. HUBERT. You don't know whether it was Ruby?

Mr. CARLIN. No; I don't.

Mr. HUBERT. Did Tammi True stay with you'all all the time on Saturday night?

Mr. CARLIN. All the time we were in Dallas?

Mr. HUBERT. Yes.

Mr. CARLIN. I don't recall whether she left for any reason or not.

Mr. HUBERT. Did he drive you back?

Mr. CARLIN. Yes.

Mr. HUBERT. Do you remember whether she picked you up or you met her some place to drive back?

Mr. CARLIN. I don't recall, but I don't think so. I think we drove back right from the parking lot—from the garage.

Mr. HUBERT. And you came in from Fort Worth and went directly to the garage?

Mr. CARLIN. To the best of my knowledge, I believe so.

Mr. HUBERT. Would that indicate to you that Tammi True was with you all during the time?

Mr. CARLIN. Unless she would have gotten up during the time we were in the Colony and maybe talked to someone or something of that nature, but to the best of my knowledge I saw her periodically all night long and I didn't pay much attention to what she was doing.

Mr. HUBERT. Did you see Ralph Paul that night?

Mr. CARLIN. I don't recall whether I did or not—I don't think so.

Mr. HUBERT. You know him, don't you?

Mr. CARLIN. Yes.

Mr. HUBERT. Was Tammi True with you, did she see him, to your knowledge?

Mr. CARLIN. I don't know whether she did or not.

Mr. HUBERT. Did you see Harry Olsen or Kathy Kay on Friday, Saturday, or Sunday, November 22, 23 or 24?

Mr. CARLIN. Kathy Kay sounds familiar, but Harry Olsen, I can't place.

Mr. HUBERT. Harry Olsen was formerly a member of the Dallas Police Department and he subsequently married Kathy Kay.

Mr. CARLIN. Kathy Kay then is the girl, the blonde-headed girl that worked at the Carousel?

Mr. HUBERT. Yes. Of course, you couldn't have seen her on Friday, I take it, from what you tell me?

Mr. CARLIN. I don't recall seeing her—in fact, I don't recall seeing her since—from the time—well, before I left, I don't recall seeing her.

Mr. HUBERT. That is to say you didn't see her after the President was shot?

Mr. CARLIN. I don't think so.

Mr. HUBERT. What about Olsen?

Mr. CARLIN. No, sir; I don't think so.

Mr. HUBERT. Did Ralph Paul ever tell you that Ruby had called him on Saturday night and had talked possibly about doing something to Lee Harvey Oswald or to the Weinstains?

Mr. CARLIN. I don't know Weinstein. No; he did not call—I mean—he did not tell me he called.

Mr. HUBERT. Paul never told you he had received a call from Ruby on Saturday night?

Mr. CARLIN. I never conversed with Paul other than "Hello, how are you?"

Mr. HUBERT. So, the answer then is that Paul did not tell you that Ruby had spoken to him on Saturday night?

Mr. CARLIN. That's right.

Mr. HUBERT. Did Ruby tell you what time to call him on Sunday with reference to getting the rest of the money?

Mr. CARLIN. I don't believe he did. If he did, I did not go by what he said. I called when I got up.

Mr. HUBERT. Had it been arranged that the money would be sent by wire?

Mr. CARLIN. I'm not positive. It seems as though he told Karen this or she led me to believe this by something she said.

Mr. HUBERT. Do you know who it was that used to pick up Karen and Little Lynn, I think was her stage name, too?

Mr. CARLIN. Pick her up in a cab?

Mr. HUBERT. In a cab. Do you know anything about that?

Mr. CARLIN. No; I don't—at what time was she picked up, after she got off?

Mr. HUBERT. Yes—possibly. You don't know anything about anybody picking her up?

Mr. CARLIN. No.

Mr. HUBERT. Who were your closest friends among the strippers, other than Karen?

Mr. CARLIN. Karen.

Mr. HUBERT. Other than Karen?

Mr. CARLIN. The only one that I knew personally was Tammi True.

Mr. HUBERT. Who was Karen's closest friend among the strippers—among those girls?

Mr. CARLIN. I would guess Tammi True. She didn't get along with anybody too well to tell you the truth.

Mr. HUBERT. Did you ever see Lee Oswald?

Mr. CARLIN. Not to my knowledge.

Mr. HUBERT. You've seen pictures of him, I take it?

Mr. CARLIN. Yes.

Mr. HUBERT. Do you think you've ever seen him any place?

Mr. CARLIN. His face looks familiar, but as many times as you have seen a picture like that, you could say the same thing.

Mr. HUBERT. Were you ever a member of the Communist party?

Mr. CARLIN. Was I ever a member?

Mr. HUBERT. Yes.

Mr. CARLIN. No, sir.

Mr. HUBERT. Or the Socialist Workers party?

Mr. CARLIN. No, sir.

Mr. HUBERT. Have you ever participated in any political activities?

Mr. CARLIN. No, sir.

Mr. HUBERT. Did you know Officer J. D. Tippit?

Mr. CARLIN. No, sir.

Mr. HUBERT. Did you know a man by the name of Bernard Weissman?

Mr. CARLIN. No; I didn't know him. I had heard of him and recalled it after an FBI agent asked me about him.

Mr. HUBERT. But prior to the time that the FBI agent asked you about him, did you know anything about him at all?

Mr. CARLIN. Yes; he was a man who put the leaflets out or an ad in the paper or something, before Kennedy came to Dallas.

Mr. HUBERT. And you knew that before Kennedy came to Dallas, or have you found it out afterwards?

Mr. CARLIN. No; I believe I found it out from the News—I'm not sure.

Mr. HUBERT. You didn't see any of the Bernard Weissman signs prior to that?

Mr. CARLIN. No.

Mr. HUBERT. Mr. Carlin, I have marked for purposes of identification two photos by placing on the reverse side of them the following words: "Dallas, Texas, August 24, 1964", and—

The REPORTER. You mean, "Fort Worth, Tex."?

Mr. HUBERT. I do mean Fort Worth, and I am scratching "Dallas" out and putting "Fort Worth" there, and I have previously marked "Dallas" on all of these pictures, but I have scratched it out and entered above it "Fort Worth, Tex., August 24, 1964, Exhibits Nos. 1 and 2, Deposition of Bruce Carlin", and to which I have signed my name.

These are FBI pictures of J. D. Tippit and I ask you whether or not you recognize that man?

Mr. CARLIN (examining instruments referred to). No; I do not recognize him.

Mr. HUBERT. Do you think you've ever seen him before?

Mr. CARLIN. I couldn't say. I've been shown these pictures once before.

Mr. HUBERT. Now, I show you two pictures also marked—I had marked them "Dallas" first and have scratched that out and have marked them "Fort Worth, Tex., August 24, 1964, Exhibits Nos. 3 and 4, Deposition of Bruce Carlin", and to which I have signed my name. These pictures, of course, purport to be various views of Bernard Weissman, also being FBI pictures, and I ask you if you have ever seen that man before?

Mr. CARLIN. This man does look familiar as I told the FBI agent, but I cannot say if I've seen him or where I've seen him, if I had.

Mr. HUBERT. Did you ever see him in connection with Ruby?

Mr. CARLIN. I can't say—it just seems as though I have seen this man before.

Mr. HUBERT. You don't remember where?

Mr. CARLIN. No; I don't even remember if I've seen him. I just know he looks familiar.

Mr. HUBERT. All right, sir. I thank you. That's all.

Mr. CARLIN. Very good.

Mr. HUBERT. Now, prior to your coming into this room today, I don't believe we had any conversation, and therefore I ask you whether you concur that everything that has passed between us has been in this room since the reporter has been taking it down?

Mr. CARLIN. That's right. I would like to say this, if I may?

Mr. HUBERT. Yes.

Mr. CARLIN. I have told all that I know. As far as I'm concerned, my wife has told all that she knows. I don't believe she knows any more. Because of this complete or whole situation, I have lost one job and lost other jobs in regard to it, maybe not for the same reason but I knew why.

Now, I've got a living to make and a family to support and if there is anything else that anybody wants to talk to me about, I wish they would get it over with now, because it's a matter of what or whether I'm going to eat or my family is going to eat the next meal and I should be out working today and I've lost another day, and I've been as cooperative as I can be.

I know no more. I don't care about Ruby. I have a family to support and it all just sums up that I'm just tired of the FBI and Secret Service, and I know they're doing their jobs, but it's hard to live and live normally with the situation keeping coming back up like it is.

Now, if a man goes to jail, he pays his debt to society and he's out and should be left alone. Karen probably should not have been working where she was working, but she is not working now and I'm trying to support her and a baby and I would like to be left alone.

If I could tell all I know, which I have told—I would like to get this over

with and quit having to come back up here and be embarrassed by my landlord being asked by the Federal agents about where I am and questions about me and my friends.

I know it is a job that had to be done, and I feel like I've been questioned and investigated, and I don't care how much they investigate me, but this is enough, and I think it's time now to be left alone.

Mr. HUBERT. We certainly appreciate your feelings. Let me make this statement to you—the fact that you've been recalled is by no means for the purpose of harassing you.

Mr. CARLIN. Oh, I understand that.

Mr. HUBERT. It's just simply that sometimes little points develop that we didn't know about at prior times, and it's just an effort to do it right.

Mr. CARLIN. I understand that. I know everyone is doing their job and I realize that I told you things today that I didn't remember the first time I was here.

Mr. HUBERT. With respect to your loss of pay, of course, I don't think the Government can make that up to you, but there is a per diem which you are entitled to for appearing—

Mr. CARLIN. No; I don't expect them to.

Mr. HUBERT. And if you will check with Mr. Conkle of the Secret Service, I think he can arrange to have you receive the per diem, so you may check with him. I don't know whether it will be material or not but you might check with him.

Mr. CARLIN. Well, I'm not asking anything from the Government. I know I had a job to do and I think I've told you all I know.

Mr. HUBERT. But under the law you may be entitled to some stipend, and we want you to have it.

Mr. CARLIN. Well, I have contacted my lawyer here again and he said, "Go again and try to explain to them the situation that you're in." It has made it hard. I was making good money up until this started and it seems that I can't stay anywhere long that they don't recognize her, or an agent is asking questions, or the word gets around as to who I am and who my wife is, and this always means—well, it's jeopardizing my family, and it's nobody's fault but ours, but we're trying to live it down and we can't do it if things like this keep coming up.

Mr. HUBERT. Well, I'm sure the Commission will take that into account. I don't know whether you will be interrogated again—probably not—but I can assure you that if it should come about, it is because it would be absolutely necessary.

Mr. CARLIN. Okay.

Mr. HUBERT. We really appreciate your position and thank you very much.

Mr. CARLIN. Okay, sir. Glad to have seen you.

Mr. HUBERT. All right. Thank you.

TESTIMONY OF MRS. BRUCE CARLIN

The testimony of Mrs. Bruce Carlin was taken at 1:40 p. m., on August 24, 1964, at the Federal Building, Fort Worth, Tex., by Mr. Leon D. Hubert, Jr., assistant counsel of the President's Commission.

Mr. HUBERT. This is the deposition of Mrs. Bruce Carlin.

Mrs. Carlin, my name is Leon Hubert. I am a member of the advisory staff of the general counsel of the President's Commission on the Assassination of President Kennedy. Under the provisions of Executive Order 11130 dated November 29, 1963 and the joint resolution of Congress No. 137, and the rules of procedure adopted by the Commission in conformance with that Executive order and that joint resolution, I have been authorized to take this sworn deposition from you.

I state to you that the general nature of the Commission's inquiry is to ascertain, evaluate and report upon the facts relative to the assassination of President Kennedy and the subsequent violent death of Lee Harvey Oswald.

In particular, as to you, Mrs. Carlin, the nature of the inquiry today is to determine what pertinent facts you may know about the death of Oswald and any other pertinent facts you may know about the general inquiry and about Jack Ruby and about his operations and associates and so forth.

Mrs. Carlin, there has been a letter addressed to you, but apparently it went to the wrong address, and this letter asked you to appear here, and of course the letter therefore was not received.

Under the rules adopted by the Commission, every witness who appears has a right to have a 3-day written notice before they actually appear. The rules also provide that you may waive that written notice, and if you are willing to testify now without that 3-day written notice, you may do so. Of course, you can claim the privilege of having the 3-day notice or you can waive it and go ahead and testify now. Is it your wish to waive it and testify now without the 3 days' written notice?

Mrs. CARLIN. Yes.

Mr. HUBERT. Will you stand and raise your right hand and be sworn.

Do you solemnly swear the testimony you are about to give in this matter will be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. CARLIN. Yes.

Mr. HUBERT. You are Mrs. Bruce Carlin, is that so?

Mrs. CARLIN. Yes.

Mr. HUBERT. You had a stage name, I think, of what?

Mrs. CARLIN. Little Lynn.

Mr. HUBERT. And I think your name is also Karen?

Mrs. CARLIN. Yes.

Mr. HUBERT. That's (spelling) K-a-r-e-n?

Mrs. CARLIN. That's correct.

Mr. HUBERT. There are only a few questions I need to ask you. Is your father alive?

Mrs. CARLIN. Yes.

Mr. HUBERT. Where does he live?

Mrs. CARLIN. Chattanooga, Tenn.

Mr. HUBERT. Did you have any member of your family who was killed by violence?

Mrs. CARLIN. I don't believe so.

Mr. HUBERT. No brothers or father-in-law or anyone of that sort?

Mrs. CARLIN. I don't believe so. I haven't heard from any of them in quite a long time.

Mr. HUBERT. You don't know of anybody that was murdered?

Mrs. CARLIN. No.

Mr. HUBERT. Are your mother and father still living together?

Mrs. CARLIN. No.

Mr. HUBERT. Has your mother remarried?

Mrs. CARLIN. No—I won't say definitely no, because I don't know. I really don't know if she has remarried or not.

Mr. HUBERT. But you don't know of any person who was killed by violence in your family?

Mrs. CARLIN. No.

Mr. HUBERT. You know Kathy Kay, of course?

Mrs. CARLIN. Yes.

Mr. HUBERT. Is that her full name?

Mrs. CARLIN. I don't know her full name. All I knew her by was Kathy Kay.

Mr. HUBERT. Did you know Harry Olsen?

Mrs. CARLIN. Yes.

Mr. HUBERT. Who was he?

Mrs. CARLIN. Her boy friend—I believe that was his name.

Mr. HUBERT. Was he then a member of the police force, the Dallas police force?

Mrs. CARLIN. He was supposed to be; yes.

Mr. HUBERT. Do you know whether they have married or not?

Mrs. CARLIN. No; I don't.

Mr. HUBERT. When did you last see her?

Mrs. CARLIN. Right before—I guess—yes, it was right before the President was killed.

Mr. HUBERT. How long before?

Mrs. CARLIN. Well, it was the night—the last night we worked. I believe it was a Thursday night was the last night we worked.

Mr. HUBERT. Thursday was November 21st. Where did you see her?

Mrs. CARLIN. At the place—at the club.

Mr. HUBERT. She was a dancer there?

Mrs. CARLIN. Yes.

Mr. HUBERT. Did you see Harry Olsen there then?

Mrs. CARLIN. I don't think so. I saw Harry after that.

Mr. HUBERT. When?

Mrs. CARLIN. One night he came up to the club—no, it wasn't up to the club. One night I walked down—I was walking to the bus station and this little parking lot right next door, he was standing inside, so I went inside to ask him about Kathy, to ask how she was and everything.

Mr. HUBERT. How long after the shooting of the President was this that you saw Harry Olsen?

Mrs. CARLIN. I don't remember.

Mr. HUBERT. Was it after Ruby had shot Oswald?

Mrs. CARLIN. Yes.

Mr. HUBERT. I understand from your testimony then, that you did not see Kathy Kay or Harry Olsen on Friday, November 22 when the President was shot, or the next day, Saturday, or the day after that—on Sunday, November 24?

Mrs. CARLIN. No; I never did see Kathy again.

Mr. HUBERT. You haven't seen her then since this Thursday night, the 21st?

Mrs. CARLIN. That's right.

Mr. HUBERT. And Harry Olsen only once and that was after Ruby had shot Oswald?

Mrs. CARLIN. Yes.

Mr. HUBERT. When the club had reopened?

Mrs. CARLIN. Yes.

Mr. HUBERT. And when Mr. Paul was operating it?

Mrs. CARLIN. Yes.

Mr. HUBERT. And you have seen pictures of Lee Oswald, I suppose?

Mrs. CARLIN. Well, I never paid any attention to them. I don't remember what he even looked like.

Mr. HUBERT. Did you ever see him?

Mrs. CARLIN. No; as I told you before, I never did see him. I saw him somewhere but I wouldn't say—it was either somebody that looked like him or I had seen him somewhere, but I couldn't say where because I don't remember.

Mr. HUBERT. When you say you saw him, you mean you saw a man whom you think resembles the pictures that you have seen of Lee Oswald since?

Mrs. CARLIN. Yes.

Mr. HUBERT. Could it have been at the club?

Mrs. CARLIN. As I said before, it could have been, but I don't know for sure. I won't say for sure. I just know that it was either him or someone that resembled him—I've seen somewhere. It could have been just about anywhere.

Mr. HUBERT. I take it then that you are really uncertain as to whether the man you think was or possibly resembled Oswald was in fact Oswald, you're not sure about that?

Mrs. CARLIN. I don't know Oswald; no.

Mr. HUBERT. You just think that there was a resemblance between the man you recollect and the pictures of Oswald?

Mrs. CARLIN. Yes.

Mr. HUBERT. But you do not remember—you are not positive about it being the same man?

Mrs. CARLIN. No.

Mr. HUBERT. Nor do you remember where you saw him?

Mrs. CARLIN. No—I saw so many different faces. I never paid any attention to them.

Mr. HUBERT. Let's put it this way—would it be most likely if you saw such a man, would it have been in the club or could it have been some place else?

Mrs. CARLIN. Well, most likely it would have been there at the club or where I went to eat around the club, because that's about the only places I've been—walking from the club to where I eat, the drugstore, and walking back.

Mr. HUBERT. This man that you saw that you think resembles the pictures of Oswald, or maybe did, you would have seen either at the club or at this drugstore near the club?

Mrs. CARLIN. Yes.

Mr. HUBERT. At the drugstore where you had supper?

Mrs. CARLIN. Yes.

Mr. HUBERT. Do you know a Secret Service agent by the name of Roger Warner?

Mrs. CARLIN. I don't remember him. I've talked to so many.

Mr. HUBERT. Well, do you remember telling any Secret Service agent that you had seen Oswald at the Carousel Club?

Mrs. CARLIN. No; I remember telling them the same thing I told you. That's all I've ever said, that it could have been but I'm not going to say for sure.

Mr. HUBERT. In other words, it was not a positive identification?

Mrs. CARLIN. No.

Mr. HUBERT. And if it's so reported, it's simply a misstatement in the report?

Mrs. CARLIN. Yes; I would say so because the only thing I have said is that it could possibly be, but I'm not going to say for sure, but the man resembled Oswald.

Mr. HUBERT. Did you ever tell any Secret Service agent or any Government official at all that you thought that Oswald and Ruby were connected in some way?

Mrs. CARLIN. No; I can never remember that.

Mr. HUBERT. Do you remember speaking to anyone about that—the possibilities of their being connected?

Mrs. CARLIN. Oh, yes; I spoke to several people at the club—the Secret Service and the FBI—so many of them.

Mr. HUBERT. No; I'm talking about the possibility of a connection between Ruby and Oswald?

Mrs. CARLIN. No; I don't remember ever saying anything like that. I've said it before but it was only hearsay or what I believed myself.

Mr. HUBERT. What do you believe yourself?

Mrs. CARLIN. Myself?

Mr. HUBERT. Yes.

Mrs. CARLIN. Well, maybe I shouldn't say. I don't think I really should because it's just one person's opinion.

Mr. HUBERT. Well, do you have anything to base it upon?

Mrs. CARLIN. No; it's just my own opinion—nothing that I saw, you know, for myself. It's just my own opinion by the way people talk and by him, Jack Ruby, himself.

Mr. HUBERT. Well, what was that about Jack Ruby himself that would support a possible connection between him and Oswald?

Mrs. CARLIN. Just the way he was—the things I've read in the newspapers and things about him I saw for myself; people he would talk to; always having people in his office; and things like that.

Mr. HUBERT. That leads you to form that conclusion?

Mrs. CARLIN. Yes; for myself.

Mr. HUBERT. But what is the conclusion you form from that?

Mrs. CARLIN. Well, that he had connections with Lee Harvey Oswald. This is my own opinion. There's nothing to base it on, except my own opinion.

Mr. HUBERT. Well, you mean that because you saw these people going into the office and so forth?

Mrs. CARLIN. Yes, and because of the things the newspapers have said, and the neighbors—the way that they talk about him and the things that they

have said. It's just the things that have been put in my mind that leave doubt there.

Mr. HUBERT. Well, aside from what other people have told you or what you read in the paper, do you have anything that you can tell us that you know yourself that would lead you to form the conclusion that there was a connection between them?

Mrs. CARLIN. No; nothing that I saw or nothing that I heard, or anyone I saw even was there that I could hear talking, or anything—no. It's been so long ago I can't remember very much any more.

Mr. HUBERT. Do you recall that during the course of the Ruby trial when you were waiting to testify that there was a jail break there and some people got out of the jail, and I think they passed right near by you, I believe?

Mrs. CARLIN. Yes.

Mr. HUBERT. Do you remember what you screamed or said?

Mrs. CARLIN. "Oh, my God, they're after me."

Mrs. HUBERT. Yes—what made you believe that "they" were after you?

Mrs. CARLIN. Because I was scared I was going to get killed before I ever got to court.

Mr. HUBERT. Who do you think was going to kill you?

Mrs. CARLIN. I don't know exactly who or why. I just felt that I was going to get killed.

Mr. HUBERT. Well, who did you mean by "they," when you said "they" were after you?

Mrs. CARLIN. Well, there was a man that was running after me—there was two of them, and I saw some kind of little weapon, it looked like, but I don't remember very much.

Mr. HUBERT. So, when you used the word "they," you meant those people there who were escaping?

Mrs. CARLIN. Yes.

Mr. HUBERT. You didn't have in mind some other group of people who were after you?

Mrs. CARLIN. No—well, it all goes back to where I used to work. I had already been threatened by Pat Kirkwood and I didn't know they were escaping from the jail when I saw them.

Mr. HUBERT. Who is Pat Kirkwood?

Mrs. CARLIN. He owns the Cellar and I had already been threatened by him. My life had been threatened by him.

Mr. HUBERT. Why did he do that?

Mrs. CARLIN. Well, it was—he had some publicity people down there—television and cameras and so on, and we never got along too well because I told the police, the vice squad about him and identified some policemen that were being paid off by him and everything, and of course, he had so many friends he got out of it real easy, but then he bated me for what I had done.

Mr. HUBERT. Was that before the President was shot?

Mrs. CARLIN. Yes, that was before, and so after the President was shot, he found out what was going on and he called me on the telephone, and he says, "I want you down here in about 20 minutes." and I said, "Kirkwood, I don't want to have anything to do with you or your plans, just leave me alone."

Mr. HUBERT. That was after Oswald was shot?

Mrs. CARLIN. Yes; after I went to court that first time, the bond hearing, I believe.

Mr. HUBERT. Yes.

Mrs. CARLIN. After I went to court, he says, "I want you down here," and I said, "Well, I'm not coming down." He called me back in about 20 minutes and he said, "Why aren't you down here?" He said, "I'll send a cab up after you."

Mr. HUBERT. Where were you then?

Mrs. CARLIN. I was at home in bed, I wasn't feeling too good, and my husband was out working. So, right after he called me—I was still on the telephone, and my husband walked in, and he had just finished saying, "If you're not down here, you won't be around too long," and then my husband walked in and I let him have the telephone and they talked then.

Mr. HUBERT. What did your husband say?

Mrs. CARLIN. My husband told him I wasn't coming down and if he gave me any trouble he would tell the police about it, and he said, "Well, I'll see her on the way to the club and I'll see that she never makes it inside the door."

We moved from the apartments that we were in that Kirkwood knew we were living in—we moved from there and Kirkwood didn't know anything about it, and he went looking for me over there and asked my landlord about me and where to find me, and then he was supposed to meet me up at the Carousel Club and knock me out so I couldn't get in—he was going to see that I never made it, and he never did show up. He called the colored man that took care of the place. He called him and told him to tell me that he had called, and I don't remember what all he said to the colored man, but he called him.

Mr. HUBERT. Who is he again?

Mrs. CARLIN. Pat Kirkwood.

Mr. HUBERT. He operates the Cellar, you say? That's a nightclub?

Mrs. CARLIN. It's a beatnik club here in town on Main Street.

Mr. HUBERT. Have you heard from him since?

Mrs. CARLIN. I haven't heard from him—no; not since then.

Mr. HUBERT. That would have been last January?

Mrs. CARLIN. Yes.

Mr. HUBERT. Now, you remember the Friday night that the President was shot, did you go to work that night?

Mrs. CARLIN. No.

Mr. HUBERT. Why?

Mrs. CARLIN. I got a telephone call.

Mr. HUBERT. Who from?

Mrs. CARLIN. Andrew.

Mr. HUBERT. Andrew Armstrong?

Mrs. CARLIN. Yes; the colored man.

Mr. HUBERT. About what time of day was that?

Mrs. CARLIN. Oh, I don't remember—I have no idea. It's been so long.

Mr. HUBERT. Did you call Larry Crafard that night?

Mrs. CARLIN. I don't remember if I did or not.

Mr. HUBERT. You know who Larry Crafard was?

Mrs. CARLIN. The guy that worked the lights.

Mr. HUBERT. Who?

Mrs. CARLIN. The guy that worked the spotlights and things—I don't know his last name, but I knew him by Larry.

Mr. HUBERT. You don't recall whether you called him that night?

Mrs. CARLIN. No; I don't recall. If I did, it was to see if I was coming to work or something, because I don't remember it. It must not have been very important.

Mr. HUBERT. I think you came into Dallas on Saturday night with your husband and Tammi True?

Mrs. CARLIN. Yes.

Mr. HUBERT. What time had your husband gotten back that day, do you remember how much before you'all came into Dallas?

Mrs. CARLIN. I didn't understand.

Mr. HUBERT. What time did you come to Dallas?

Mrs. CARLIN. Well, it was right before working time and we started about 8:30. It was right before that.

Mr. HUBERT. No; how long had your husband been home when you started out to go to Dallas?

Mrs. CARLIN. I don't know—he come in and out so many times.

Mr. HUBERT. Do you remember whether he had been on a trip that weekend?

Mrs. CARLIN. No; I don't even remember that.

Mr. HUBERT. Was he in town when the President was killed, do you remember that?

Mrs. CARLIN. Yes—well, I don't know. I don't know whether he was or not, I believe he was, though.

Mr. HUBERT. Well, he used to go out on trips, didn't he?

Mrs. CARLIN. Yes; he used to go out and stay almost the whole night working

motels with Mr. Bunker, and sometimes they would be gone for 2 or 3 days, but I don't remember at that time where he was.

Mr. HUBERT. I show you two photos which have been identified as Exhibit No. 1 in the Deposition of Bruce Carlin, and ask you if you can identify the person who is represented by those pictures?

Mrs. CARLIN (examining instruments referred to). No.

Mr. HUBERT. Did you know an Officer J. D. Tippit, the man who was shot by Oswald?

Mrs. CARLIN. No; I don't. I don't know. I won't say, because there was—oh, I don't know how many used to come in and out and I was usually on stage and the lights were blinding me.

Mr. HUBERT. In any case, you don't recognize the man who is shown in the pictures marked Exhibits Nos. 1 and 2 of the Deposition of Bruce Carlin?

Mrs. CARLIN. No.

Mr. HUBERT. Now, I show you two pictures also that have been identified as Exhibits Nos. 3 and 4 of the Deposition of Bruce Carlin and ask you if you recognize the man who is shown in those pictures?

Mrs. CARLIN. This is the same one that they showed me a couple of days ago and I said that I wasn't for sure, but he resembles the man that took over after Jack went to jail. There was a Paul and he worked the cash register, and there was a man that resembled him.

Mr. HUBERT. Well, that was a man employed at the Carousel, a Mr. Paul, after Ruby was put in jail, this Mr. Paul took over and there was a man employed there by this Mr. Paul, and you think that the man who is represented in pictures 3 and 4 looks something like that?

Mrs. CARLIN. Oh, yes. He was a little bit older, the man was, but it resembles him.

Mr. HUBERT. Did you know what his name was?

Mrs. CARLIN. No.

Mr. HUBERT. Did you hear anybody talk to him?

Mrs. CARLIN. No. It was just "Hello" and "Goodnight."

Mr. HUBERT. How long was he there?

Mrs. CARLIN. I don't know. Like I say, everything has been so long ago and there's so many people that asked me so many things—I don't even remember, but I talked to him one night about—I guess—about 30 minutes or an hour and he's supposed to have a family in Los Angeles, Calif., and two children, and that's about all that he ever told me about himself.

Mr. HUBERT. You didn't know his name?

Mrs. CARLIN. No; he told me, but I don't remember his name.

Mr. HUBERT. Does the name Bernard Weissman refresh your memory in any way?

Mrs. CARLIN. No.

Mr. HUBERT. Do you think that's the name of the man that was there?

Mrs. CARLIN. I don't know.

Mr. HUBERT. You're not sure that this was the man?

Mrs. CARLIN. No.

Mr. HUBERT. That is to say, the man represented in Exhibits Nos. 3 and 4?

Mrs. CARLIN. No.

Mr. HUBERT. When you called Ruby on Saturday night to ask him for money where did you call? What number did you call—home?

Mrs. CARLIN. At his home. Tammi True gave me the number and I called it. It was supposed to be at his apartment.

Mr. HUBERT. He answered the phone?

Mrs. CARLIN. I don't remember if he answered the phone the first time. You see, I called twice, but I think the first time—I think there was someone else that answered the phone and called him to the phone. Like I said, everything has been so long ago.

Mr. HUBERT. And the first time I think he told you he couldn't lend you any money, isn't that it?

Mrs. CARLIN. Yes.

Mr. HUBERT. That call was made where?

Mrs. CARLIN. To his home.

Mr. HUBERT. But I mean—where from?

Mrs. CARLIN. It was made from the Colony Club next door at the telephone there.

Mr. HUBERT. And you called him again a little while later?

Mrs. CARLIN. And he said, "I'll meet you down at the club" and he never did show up so I called back.

Mr. HUBERT. How long did you wait between the two calls?

Mrs. CARLIN. About 30 or 40 minutes. He said it would take about 40 minutes.

Mr. HUBERT. And you called the second time, you called him the second time?

Mrs. CARLIN. Yes, and he said he wouldn't be able to make it, that he was busy right then, and to get the man on the telephone at the carlot, which I did.

Mr. HUBERT. What did you ask him for?

Mrs. CARLIN. I asked him for enough money to get home, at least.

Mr. HUBERT. What about the call the next day?

Mrs. CARLIN. He told me to call back some time the next day and tell him how much I had to have, and which I did. I called back, but the only reason I called as early as I did—we saw on television what had happened. Well, I called first—we got up about—I don't remember—I think it was about 9 or 9:30 or something like that, and my husband told me I'd better call him, and so I called.

Mr. HUBERT. Did he tell you he was going to send the money by Western Union?

Mrs. CARLIN. No; he didn't say.

Mr. HUBERT. The first time you called on Sunday morning?

Mrs. CARLIN. He told me he was going to send it by Western Union.

Mr. HUBERT. In other words, on Saturday night he didn't tell you how he was going to send it?

Mrs. CARLIN. No.

Mr. HUBERT. When you called him on Sunday, did he suggest Western Union or did you?

Mrs. CARLIN. No; I didn't suggest anything, neither did he. He just said "I'm going to send it. How shall I send it?"

Mr. HUBERT. He asked you?

Mrs. CARLIN. He said, "How shall I send it?" I said, "Send it in Karen Bennett, because that's the only identification I have."

Mr. HUBERT. But it was his idea to send it by Western Union?

Mrs. CARLIN. Yes.

Mr. HUBERT. Now, can you be sure about that, or perhaps you suggested that he send it, isn't that right?

Mrs. CARLIN. I won't say for sure about anything. I'm not for sure about nothing any more. I could have said, "That will be the quickest way" or "How are you going to send it?" I don't remember.

Mr. HUBERT. Was the method of sending the money discussed on Saturday night?

Mrs. CARLIN. I don't believe so—no. I just think he said, "Call me tomorrow and tell me how much you need."

Mr. HUBERT. Well, didn't it occur to you that the money would have to be gotten to you some way on Sunday?

Mrs. CARLIN. Well, I thought perhaps that I could tell him how much I would need and then Tammi was going to have to make another trip over there and she could pick it up for me.

Mr. HUBERT. You had those thoughts at that time?

Mrs. CARLIN. At that time, yes, but then when he said he would send it, that was all.

Mr. HUBERT. It was his idea, wasn't it?

Mrs. CARLIN. I don't remember, whether it was or not.

Mr. HUBERT. Had you made arrangements with Tammi to go get it?

Mrs. CARLIN. No; you see, he owed Tammi some money and she had quit and she was going to get the money. Well, that night she couldn't get the money,

because, like I said, he didn't show down at the club so I figured she had to make another trip.

Mr. HUBERT. Did you talk to her about it?

Mrs. CARLIN. No; she had to get some gowns and things out of the club, so I thought perhaps she would go and get it. I hadn't even discussed it with her or anything. She didn't discuss it with me, she just said she wanted to get her money and her gowns and she was very persistent, and she needed it to go to Oklahoma City, I believe, I don't know.

Mr. HUBERT. All right, Mrs. Carlin, in ending this deposition, let me ask you if there has been any conversations between us except that which has gone into the record here today?

Mrs. CARLIN. No.

Mr. HUBERT. All right, thank you very much. We appreciate your coming down.

Mrs. CARLIN. All right, thank you.

TESTIMONY OF RALPH PAUL

The testimony of Ralph Paul was taken at 2:25 p.m., on August 24, 1964, at the Federal Building, Fort Worth, Tex., by Mr. Leon D. Hubert, Jr., assistant counsel of the President's Commission.

Mr. HUBERT. This is the deposition of Mr. Ralph Paul.

Mr. Paul, my name is Leon Hubert. I am a member of the advisory staff of the general counsel of the President's Commission on the Assassination of President Kennedy. Under the provisions of Executive Order 11130 dated November 29, 1963, and the joint resolution of Congress, No. 137, and the rules of procedure adopted by the Commission in conformance with that Executive order and that joint resolution, I have been authorized to take this sworn deposition from you.

I state to you that the general nature of the Commission's inquiry is to ascertain, evaluate and report upon the facts relative to the assassination of President Kennedy and the subsequent violent death of Lee Harvey Oswald.

In particular, as to you, Mr. Paul, the nature of the inquiry today is to determine what facts you know about the death of Oswald and any other pertinent facts you may know about the general inquiry and about Jack Ruby and his operations and movements and so forth.

Now, I believe you are appearing here by virtue of a telephone call asking you to come, is that correct?

Mr. PAUL. Today?

Mr. HUBERT. Yes.

Mr. PAUL. Yes; for today—on Friday.

Mr. HUBERT. You were called on Friday to appear here today?

Mr. PAUL. Yes.

Mr. HUBERT. You received no letter?

Mr. PAUL. Yes; today.

Mr. HUBERT. That letter was received today?

Mr. PAUL. Yes.

Mr. HUBERT. That was a letter from Mr. Rankin, was it?

Mr. PAUL. Yes.

Mr. HUBERT. Well, under the rules adopted by the Commission every witness has the right to a 3-day notice, actually dated from the date of the notice, but in any case, the rules do provide that any witness may waive that 3-day written notice, and I ask you now if you are going to waive the 3-day written notice and proceed to testify now, today?

Mr. PAUL. Yes.

Mr. HUBERT. Would you rise and let me administer the oath.

Do you solemnly swear that the testimony you are about to give in this matter will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. PAUL. Yes.

Mr. HUBERT. Your name is Ralph Paul?

Mr. PAUL. That's right.

Mr. HUBERT. And your address is what, sir?

Mr. PAUL. 1936 East Abrams.

Mr. HUBERT. That's in Arlington?

Mr. PAUL. Yes.

Mr. HUBERT. I have a number of questions to ask you here and I think they will just simply flow along. Do you recall whether you received any telephone calls from Jack Ruby's sister, Eva Grant on Saturday, November the 23d, that is to say, the day after the President was shot?

Mr. PAUL. No, sir.

Mr. HUBERT. You did not receive any calls?

Mr. PAUL. No, sir.

Mr. HUBERT. Did you receive any calls from Andy Armstrong?

Mr. PAUL. No, sir.

Mr. HUBERT. Did you receive any calls on that day from any of Eva Grant's friends?

Mr. PAUL. No, sir.

Mr. HUBERT. Did you receive any call from Ruby that day?

Mr. PAUL. Yes, sir.

Mr. HUBERT. Do you remember when that was?

Mr. PAUL. Well, one was—I think—at 6 o'clock.

Mr. HUBERT. That's on Saturday?

Mr. PAUL. Yes.

Mr. HUBERT. Where were you then?

Mr. PAUL. At the place of business.

Mr. HUBERT. That's at the Bull Pen?

Mr. PAUL. Yes, sir.

Mr. HUBERT. He called you?

Mr. PAUL. Yes.

Mr. HUBERT. Did he tell you where he was calling from?

Mr. PAUL. No, sir.

Mr. HUBERT. Now, do you know where he was calling from?

Mr. PAUL. No, sir.

Mr. HUBERT. How long did you speak to him?

Mr. PAUL. Oh, about 3 minutes—4 minutes.

Mr. HUBERT. What was the conversation about, do you recall?

Mr. PAUL. Just telling me that he closed the club down for 3 days.

Mr. HUBERT. Now, are you speaking of Friday night or Saturday night?

Mr. PAUL. Both. He said, did I see the ad in the paper, and I said, "No, I don't get Saturday's paper."

Mr. HUBERT. This was on Saturday?

Mr. PAUL. Yes; on Saturday.

Mr. HUBERT. Had you talked to him on Friday night?

Mr. PAUL. Yes.

Mr. HUBERT. Hadn't he told you on Friday night that he was going to close down the club?

Mr. PAUL. Yes.

Mr. HUBERT. But he called you again on Saturday night about 6 o'clock, and did he tell you the same thing?

Mr. PAUL. No; he asked me if I saw it in the paper.

Mr. HUBERT. And that's what that call was about?

Mr. PAUL. Yes.

Mr. HUBERT. And there was no other subject of conversation?

Mr. PAUL. No, sir.

Mr. HUBERT. Now, on Saturday night, November 23, did you see a man by the name of Bruce Carlin?

Mr. PAUL. I didn't see anybody on Saturday night because I was working.

Mr. HUBERT. Well, of course, that wouldn't necessarily prevent you from seeing him at your place of business, sir? Did you see Mr. Carlin?

Mr. PAUL. Carlin—who is Bruce Carlin?

Mr. HUBERT. You don't know a man by the name of Bruce Carlin?

Mr. PAUL. The name doesn't sound familiar to me.

Mr. HUBERT. Do you know Karen Bennett, Little Lynn?

Mr. PAUL. Yes.

Mr. HUBERT. Well, perhaps it will refresh your memory if I said to you that Bruce Carlin is her husband?

Mr. PAUL. I never knew him by name.

Mr. HUBERT. He's a blonde boy?

Mr. PAUL. I know him now when you say it.

Mr. HUBERT. Did you see him on Saturday, November 23?

Mr. PAUL. No, sir.

Mr. HUBERT. Do you know Tammi True?

Mr. PAUL. Yes.

Mr. HUBERT. I think that's her stage name and her real name is Nancy Powell?

Mr. PAUL. Yes—Powell.

Mr. HUBERT. Did you see her on Saturday night, November 23?

Mr. PAUL. No, sir.

Mr. HUBERT. Or at any time on Saturday?

Mr. PAUL. No, sir.

Mr. HUBERT. Now, going back a little further to Wednesday night, which would have been the 20th of November, two nights before the President was shot—I would like to ask you if you saw Ruby on that night; Jack Ruby?

Mr. PAUL. I really don't remember. I saw him on Thursday night.

Mr. HUBERT. You saw him on Thursday night?

Mr. PAUL. I saw him on Thursday night.

Mr. HUBERT. There was a telephone call from Ruby to you at 9:32 on Wednesday night?

Mr. PAUL. That's when I worked straight through.

Mr. HUBERT. Sir?

Mr. PAUL. That's when I worked straight through at the place.

Mr. HUBERT. You worked straight through on that Wednesday night?

Mr. PAUL. Yes.

Mr. HUBERT. Did he call you then at 9:32?

Mr. PAUL. I guess. He called me all the time. He called me every night.

Mr. HUBERT. Do you remember the nature of that call?

Mr. PAUL. No, sir.

Mr. HUBERT. He called you every night, you say?

Mr. PAUL. Mostly every night—if I didn't come around, he called.

Mr. HUBERT. What did he call you for?

Mr. PAUL. Just to tell me how business is or if I didn't come around, he just wanted some questions answered about what he should do.

Mr. HUBERT. Do you recall a telephone call from him on Thursday night, November 21, at about 6:40 p.m.?

Mr. PAUL. Maybe he did, but I told him I was going to be in.

Mr. HUBERT. You told him you were coming in to Dallas?

Mr. PAUL. Yes.

Mr. HUBERT. Did you go in?

Mr. PAUL. What?

Mr. HUBERT. Did you go in to Dallas?

Mr. PAUL. Yes, sir.

Mr. HUBERT. Did you see him then?

Mr. PAUL. Yes sir.

Mr. HUBERT. What was the occasion of your seeing him, what did you do?

Mr. PAUL. I always came in to Dallas when I went to the club.

Mr. HUBERT. Do you remember anything special about that night?

Mr. PAUL. Nothing special—I think we went to eat.

Mr. HUBERT. Where did you go?

Mr. PAUL. I'm not sure whether it was the Egyptian Lounge or Delmonico's.

Mr. HUBERT. But you did have supper that night with Jack?

Mr. PAUL. Yes, sir.

Mr. HUBERT. And then you went back to the club?

Mr. PAUL. Yes.

Mr. HUBERT. Do you know a man by the name of Laurence Meyers?

Mr. PAUL (no response).

Mr. HUBERT. What was your answer, sir?

Mr. PAUL. No, sir; I don't think I do.

Mr. HUBERT. Do you remember seeing a man with Ruby or being introduced by Ruby to a man called Laurence Meyers from outside of Dallas? He was not from Texas at all. On that night he was with a young lady?

Mr. PAUL. Jack introduced me to so many people I don't know who, what, or when.

Mr. HUBERT. The name Laurence Meyers means nothing to you?

Mr. PAUL. No, sir.

Mr. HUBERT. Do you remember seeing a man with a rather younger girl as a companion on that night?

Mr. PAUL. I don't know the man—I can't think I've seen him if I don't know the man.

Mr. HUBERT. Well, I know that you might not know his name but you might remember seeing a man in the company of a much younger girl?

Mr. PAUL. I don't recall it.

Mr. HUBERT. Now, on Thursday night, the 21st, when you had dinner with Jack, did he discuss the President's visit the next day?

Mr. PAUL. No, sir.

Mr. HUBERT. Not at all?

Mr. PAUL. Not at all.

Mr. HUBERT. There was no conversation between you at all about the forthcoming visit, is that right?

Mr. PAUL. No, sir.

Mr. HUBERT. Do you know Hyman Ruby?

Mr. PAUL. Who?

Mr. HUBERT. Hyman Ruby or Rubenstein. I think his name is actually Rubenstein—Jack's brother?

Mr. PAUL. The one in Chicago?

Mr. HUBERT. Yes.

Mr. PAUL. I met him one time.

Mr. HUBERT. When was that?

Mr. PAUL. He came over to the place of business.

Mr. HUBERT. It was before the assassination of President Kennedy?

Mr. PAUL. No; it was after the assassination.

Mr. HUBERT. When?

Mr. PAUL. It was after the assassination.

Mr. HUBERT. Is that the first time you had ever met him?

Mr. PAUL. Yes, sir.

Mr. HUBERT. It would be wrong to say therefore that you might have met him on the Friday before the assassination of the President, that is to say, 1 week before—in Dallas?

Mr. PAUL. One week before?

Mr. HUBERT. Yes.

Mr. PAUL. Not that I know of.

Mr. HUBERT. Do you know a man by the name of Earl Norman?

Mr. PAUL. Who?

Mr. HUBERT. Earl Norman.

Mr. PAUL. Earl Norman—yes.

Mr. HUBERT. Was there a fight with Earl Norman that night, the week before the assassination?

Mr. PAUL. He had a fight but I don't know when—not a fight—he told him to leave the club.

Mr. HUBERT. Who—Jack did?

Mr. PAUL. Yes.

Mr. HUBERT. They didn't pass any blows between them?

Mr. PAUL. I don't think so.

Mr. HUBERT. You witnessed the thing?

Mr. PAUL. I was there.

Mr. HUBERT. And Hyman was not there?

Mr. PAUL. Not that I know of.

Mr. HUBERT. You've met Hyman only once in your life?

Mr. PAUL. Yes.

Mr. HUBERT. And that was after the assassination?

Mr. PAUL. At the place of business. I know of that for sure because I never saw him before in my life.

Mr. HUBERT. What was your general night off—usually?

Mr. PAUL. The night off was Monday, Tuesday, and Thursday.

Mr. HUBERT. Was it your night off on November 21 when you had dinner with Ruby?

Mr. PAUL. Yes; it was my night off—Thursday.

Mr. HUBERT. Were you at the Carousel on Tuesday, the 19th of November 1963?

Mr. PAUL. I might have been. I can't recall whether I was or not.

Mr. HUBERT. Does it refresh your memory to ask you if you remember whether that was the occasion that Tammi True quit the Carousel there after some argument with Jack?

Mr. PAUL. I know it was one of those days, but I can't recall exactly what date.

Mr. HUBERT. What happened, do you know?

Mr. PAUL. Well, to tell the truth, I really don't know. She said something and he said something and I wasn't there at the time when it all happened.

Mr. HUBERT. You came there later?

Mr. PAUL. What?

Mr. HUBERT. Did you come there later?

Mr. PAUL. I came later—I think I did—I'm not sure. I wouldn't be sure.

Mr. HUBERT. Well, you saw Tammi True the night she had this trouble with Jack and quit or was fired or whatever it was?

Mr. PAUL. Well, not actually—I didn't actually see Tammi True because I wasn't talking with her at that time.

Mr. HUBERT. You mean there had been some difference between you?

Mr. PAUL. Yes.

Mr. HUBERT. And you were not on speaking terms?

Mr. PAUL. Yes.

Mr. HUBERT. How long did that last?

Mr. PAUL. Well, it lasted about 3 or 4 weeks, and the first time she called me was when she saw it on TV that Ruby had shot Oswald.

Mr. HUBERT. In other words, you had not spoken to Tammi True for about 3 or 4 weeks prior to November 24?

Mr. PAUL. Yes.

Mr. HUBERT. Was Friday your night off, at that time?

Mr. PAUL. No; they never had a night off.

Mr. HUBERT. What?

Mr. PAUL. They worked 7 days.

Mr. HUBERT. I'm not talking about them, I mean yourself?

Mr. PAUL. What Friday?

Mr. HUBERT. Friday the 21st, was that a night off? Was Friday normally a night off?

Mr. PAUL. Friday wasn't the 21st.

Mr. HUBERT. The 22nd—was Friday normally your night off at that time?

Mr. PAUL. No, sir; Friday was not my night off.

Mr. HUBERT. It was not your night off?

Mr. PAUL. No, sir.

Mr. HUBERT. It was not at that time?

Mr. PAUL. No, sir.

Mr. HUBERT. Well, on the night of the day that the President was shot, that's Friday, November the 22nd, were you working?

Mr. PAUL. Yes, sir.

Mr. HUBERT. At the Bull Pen?

Mr. PAUL. Yes, sir.

Mr. HUBERT. Until what time?

Mr. PAUL. Until 12 o'clock. I got out of there about 12:30.

Mr. HUBERT. You got out of there, you say, about 12:30?

Mr. PAUL. About 12:30—yes.

Mr. HUBERT. And went home?

Mr. PAUL. Yes.

Mr. HUBERT. Now, the records indicate that there was a call to you by Jack Ruby about 1:15 p.m. on Friday, November 22. Do you remember anything about that?

Mr. PAUL. At 1 p.m. in the afternoon?

Mr. HUBERT. Yes—1:15.

Mr. PAUL. Yes; that's when he told me about the President being shot.

Mr. HUBERT. You didn't know it prior to that time?

Mr. PAUL. Well, I listened on the radio because everybody in the place was just standing there and I just put the radio on—they called me and told me that the President was shot, and just a little later, he called me too. He says—oh—I told you that before. It was a terrible thing.

Mr. HUBERT. Did he tell you that he had gone to Parkland Hospital?

Mr. PAUL. No.

Mr. HUBERT. Did he mention to you that he had been at the Dallas Morning News that day, the day the President was shot?

Mr. PAUL. I don't really recall that he told me that.

Mr. HUBERT. I think he called you again, according to the records, about 2:43 on Friday afternoon?

Mr. PAUL. At home.

Mr. HUBERT. You had left?

Mr. PAUL. I had left the place—yes.

Mr. HUBERT. The Bull Pen?

Mr. PAUL. Yes; and I told him I was watching television.

Mr. HUBERT. You told him that?

Mr. PAUL. Yes.

Mr. HUBERT. Did he mention to you about closing the club then?

Mr. PAUL. That's right.

Mr. HUBERT. Did he ask whether he should do it—did he ask you whether he should do it or did he tell you he was going to?

Mr. PAUL. No; he didn't tell me. He said, "I'm going to close down for 3 days, what are you going to do?" I said, "I've got to keep open, I've got a restaurant." I told you that before.

Mr. HUBERT. Did he mention calling Gruber—Marty Gruber?

Mr. PAUL. He's dead.

Mr. HUBERT. Did he mention having called him at that time—he was dead at that time?

Mr. PAUL. Yes—Marty Goble or Grable or something like that. He died in Chicago the night of the fight of the first—this and the champion fight—Marty Grable.

Mr. HUBERT. Well, this is Gimble or Gruble?

Mr. PAUL. Oh—Marty Gruble—I don't know.

Mr. HUBERT. Well, did he mention Marty Gruble or any person named Gruble?

Mr. PAUL. No; I wouldn't know who he is if he did.

Mr. HUBERT. Well, that may be so, but what I want to know is whether he mentioned that name to you?

Mr. PAUL. No; I don't recall.

Mr. HUBERT. Did Ruby mention to you on that Friday night or on that Friday afternoon in any of those calls that he was going to the synagogue that night?

Mr. PAUL. I don't recall whether it was that evening or late at night that he told me that he went to the synagogue.

Mr. HUBERT. He didn't invite you to go with him?

Mr. PAUL. I don't go to the synagogue.

Mr. HUBERT. I know, but did he invite you to go with him?

Mr. PAUL. No; he knows I'll be working.

Mr. HUBERT. He called you about 8:40 that evening, didn't he?

Mr. PAUL. Yes.

Mr. HUBERT. You were working then?

Mr. PAUL. Yes.

Mr. HUBERT. You had just gone back to work?

Mr. PAUL. No—yes, I came back to work. I come back to work at 5 o'clock.

Mr. HUBERT. Do you remember what the nature of that call was, that's on Friday night?

Mr. PAUL. That's when he told me he was going to close it down for 3 days.

Mr. HUBERT. Well, I thought he had mentioned that to you in the call during the afternoon?

Mr. PAUL. No; in the afternoon he didn't mention about closing it down, but that night—early in the evening, I think, is when he told me he was going to close it down. I think it was when he called me at 6 o'clock that evening, when I first came back to the place.

Mr. HUBERT. Well, apparently there were three calls on Friday, is that correct? There was one right after the President was shot and one at about 2:45 or a quarter to 3, and then another one later?

Mr. PAUL. Yes.

Mr. HUBERT. Do you remember there were three calls?

Mr. PAUL. I remember five calls.

Mr. HUBERT. On Saturday?

Mr. PAUL. Yes.

Mr. HUBERT. When were the other two?

Mr. PAUL. He called me at home.

Mr. HUBERT. What time were the other two?

Mr. PAUL. About a quarter to 11 and I told him I wasn't feeling well, and—

Mr. HUBERT. What did he want you to do?

Mr. PAUL. Nothing—he just told me that he was over at his sister's house and he went to the synagogue.

Mr. HUBERT. And you were at home at that time?

Mr. PAUL. Yes.

Mr. HUBERT. And he called you once more?

Mr. PAUL. Yes, sir.

Mr. HUBERT. And what time was that?

Mr. PAUL. Oh, about 11:30 or about—about 12 o'clock, maybe a quarter of 12, and I was in bed and I told him he woke me up, and he was telling me that nobody downtown did any business on account of that, and I said to him, "Jack, I'm sick. Please don't call me no more."

Mr. HUBERT. Was he rather sore at you because you kept your place open?

Mr. PAUL. Not especially. I don't think so. I didn't see him after that.

Mr. HUBERT. Did he mention to you that he had gone to the PAGO Club, in any of those calls at all?

Mr. PAUL. No, sir.

Mr. HUBERT. He never mentioned that to you whatsoever?

Mr. PAUL. No; he never mentioned it to me. If I'm not with him, he don't tell me where he goes.

Mr. HUBERT. Did he ever tell you that he had been to the police department on Friday night and had been up in the showup room and so forth?

Mr. PAUL. No; but he told me that he brought some coffee over, I think, Saturday night, to the KLIF diskjockeys in the conversation.

Mr. HUBERT. Did he ever talk to you about the Bernard Weissman advertisement that he was so upset about?

Mr. PAUL. Yes; he mentioned that in the paper and he said he was going to ride up on the expressway and see it.

Mr. HUBERT. When did he say that to you?

Mr. PAUL. I don't recall whether it was Friday night or Saturday night.

Mr. HUBERT. But it was nighttime?

Mr. PAUL. Yes.

Mr. HUBERT. Do you recall his saying to you that his sister, Eva, was crying?

Mr. PAUL. Yes, sir.

Mr. HUBERT. When did he say that?

Mr. PAUL. Saturday night.

Mr. HUBERT. Did you see Tammi True during that weekend of November 22, 23, and 24?

Mr. PAUL. No, sir; the first time I saw Tammi was the 24th and it was Sunday.

Mr. HUBERT. You saw Tammi, Sunday?

Mr. PAUL. Yes.

Mr. HUBERT. But you did not speak to her or see her prior to that time for 4 weeks?

Mr. PAUL. No; the 24th was Sunday.

Mr. HUBERT. Where did you see her and under what circumstances?

Mr. PAUL. On Sunday?

Mr. HUBERT. Yes.

Mr. PAUL. She came over to the place.

Mr. HUBERT. That's the Bull Pen?

Mr. PAUL. Yes, sir.

Mr. HUBERT. That was after Ruby had shot Oswald?

Mr. PAUL. Yes. She was the first one to call me and tell me.

Mr. HUBERT. You were at the Bull Pen all day Friday except when you went home?

Mr. PAUL. When I went home in the afternoon.

Mr. HUBERT. And on Saturday too?

Mr. PAUL. When I went home in the afternoon and came back at 5 and stayed until 10.

Mr. HUBERT. That was on Saturday?

Mr. PAUL. Yes.

Mr. HUBERT. Now, I want to get into the calls from Ruby on Saturday night—there were quite a number of them, as I recall it. Do you remember when the first one was and where did you get it?

Mr. PAUL. The first call was at the Bull Pen.

Mr. HUBERT. And he called you?

Mr. PAUL. Yes, sir.

Mr. HUBERT. And where was he, did he say?

Mr. PAUL. No, sir.

Mr. HUBERT. Could you gather from the nature of the conversation, from what he said, as to where he might have been?

Mr. PAUL. No—I think he said—the only thing I think he said was that he went to synagogue, and whether he said it then or he said it later, I don't recall.

Mr. HUBERT. Did he say anything to you about doing something to Oswald and getting a gun or anything like that?

Mr. PAUL. No, sir; no sir.

Mr. HUBERT. Did he mention anything about a gun at all to you on any of those phone calls?

Mr. PAUL. No.

Mr. HUBERT. Do you know a person by the name of Wanda Helmick or Elwick?

Mr. PAUL. Maybe I do, but I can't recall the name.

Mr. HUBERT. Have you ever told anybody that Ruby told you that he was going to get a gun and shoot Oswald?

Mr. PAUL. How could I tell anybody if he didn't tell me?

Mr. HUBERT. I'm not asking you that—I'm asking you if he did tell you?

Mr. PAUL. No, sir.

Mr. HUBERT. And you never repeated that to anybody?

Mr. PAUL. No, sir.

Mr. HUBERT. You never said that to anyone?

Mr. PAUL. No, sir.

Mr. HUBERT. Did Ruby at anytime indicate that he was going to take some action or that some action should be taken by someone with regard to Oswald?

Mr. PAUL. No, sir.

Mr. HUBERT. Do you recall talking to Ruby about a gun?

Mr. PAUL. I never even talked to Ruby about Oswald.

Mr. HUBERT. You don't know who Wanda Helmick is?

Mr. PAUL. Maybe I do, but I don't recall who she is.

Mr. HUBERT. But the name doesn't mean anything to you?

Mr. PAUL. No.

Mr. HUBERT. Did you ever have any conversation with Ruby where you told him, "I don't do such a crazy thing"?

Mr. PAUL. Do I remember the conversation?

Mr. HUBERT. Yes?

Mr. PAUL. I never told him that.

Mr. HUBERT. Do you recall on Sunday morning having made any statement to anybody concerning a conversation which you had had with Ruby in which Ruby had made some threats about Oswald and talked about a gun and you had told him not to be crazy and not to do such a thing, and so forth?

Mr. PAUL. Now, the man never asked me about it—how could I have told him about it?

Mr. HUBERT. Well, as I understand your answer, you never did make such a statement?

Mr. PAUL. That's right.

Mr. HUBERT. And as I further understand your answer, he never mentioned to you any such thing at all?

Mr. PAUL. That's right.

Mr. HUBERT. The records show that you spoke to him again at 11:18 p.m., that's at night?

Mr. PAUL. That's the time—that's what I told you. That's the last time I talked to him.

Mr. HUBERT. That shows that there were two phone calls?

Mr. PAUL. That's right.

Mr. HUBERT. One at 10:44?

Mr. PAUL. That's right.

Mr. HUBERT. That one lasted about 9 minutes?

Mr. PAUL. That's right.

Mr. HUBERT. And the second one at 11:18, or about a half hour afterwards, roughly?

Mr. PAUL. Yeah.

Mr. HUBERT. And that one lasted 1 minute?

Mr. PAUL. That's right. I told him I was sick and I was going to bed and not to call me.

Mr. HUBERT. And he called you at your house a little later, didn't he?

Mr. PAUL. Both times at the house. That's the last two calls.

Mr. HUBERT. Well, he called you twice at the Bull Pen?

Mr. PAUL. Yeah; the second time he called, they told him I went home.

Mr. HUBERT. And then he called you at your house?

Mr. PAUL. Yeah.

Mr. HUBERT. And he spoke to you 3 minutes, and that's when you told him you were sick?

Mr. PAUL. The last time—when you said the minute—that's when I told him I was sick.

Mr. HUBERT. At 11:36?

Mr. PAUL. I guess so—I guess that was the last time—I didn't watch the clock.

Mr. HUBERT. Did he call you after that?

Mr. PAUL. No, sir.

Mr. HUBERT. How many calls did you get at home from him?

Mr. PAUL. Two.

Mr. HUBERT. Now, the records seem to indicate three—one at 11:19 which lasted 3 minutes, and another one 15 minutes later, at 11:36, which was for 2 minutes. The records also show that at 11:18 he called you for 1 minute. He called you for 1 minute at the Bull Pen and that's when they probably told him you had gone home, so he immediately placed a call 1 minute later, you see, and spoke to you at your home for 3 minutes, and then 15 minutes later he called you again, and you spoke to him for 2 minutes, and then at 11:47 he called again and spoke to you for 1 minute. Do you remember the third call?

Mr. PAUL. If he called, I must have been asleep, because I don't know that he called the third time.

Mr. HUBERT. Did anybody answer the phone and say you were not there or were asleep?

Mr. PAUL. No, sir; I was asleep. I really remember two calls. If he made three calls, I don't recall it.

Mr. HUBERT. In any of the calls he made to you on Saturday night, did he mention the name Breck Wall to you?

Mr. PAUL. No, but I know Breck Wall, but he never mentioned Breck Wall.

Mr. HUBERT. Did he mention that he had called Breck Wall that same night and as a matter of fact, within minutes of having called you?

Mr. PAUL. No, sir.

Mr. HUBERT. He did not mention anything about Breck Wall at all?

Mr. PAUL. No, sir.

Mr. HUBERT. Did he tell you that he had called Breck Wall up at Galveston and spoken to him on long distance?

Mr. PAUL. I don't recall.

Mr. HUBERT. Do you recall what the conversations were about?

Mr. PAUL. With who?

Mr. HUBERT. Ruby.

Mr. PAUL. With who?

Mr. HUBERT. What were your conversations about with Ruby?

Mr. PAUL. He told me that he was riding all over town and nobody was doing any business and the Colony Club and Theatre Lounge wasn't doing any business, and he told me probably then that he went to the synagogue and his sister was crying while he was there. That's the time he was at his sister's house.

Mr. HUBERT. That was just after you had gotten home from the Bull Pen?

Mr. PAUL. Yes.

Mr. HUBERT. Then he called you 15 minutes later. What was that about? He spoke to you about 2 minutes?

Mr. PAUL. I don't recall.

Mr. HUBERT. Isn't that the time you told him to leave you alone, that you were sick?

Mr. PAUL. The last time I told him that. When he called me the last time I told him that. I think I told him to leave me alone, that I was sick. I told him I took some hot tea and lemon and went to bed.

Mr. HUBERT. You don't recall a third call?

Mr. PAUL. I don't recall.

Mr. HUBERT. And you don't recall his mentioning Breck Wall whatsoever?

Mr. PAUL. No.

Mr. HUBERT. Now, I think that on Sunday after Ruby shot Oswald, you called Tom Howard, is that correct?

Mr. PAUL. Yes, sir.

Mr. HUBERT. Where did you make that call from?

Mr. PAUL. The Bull Pen.

Mr. HUBERT. Did you make an appointment to see him?

Mr. PAUL. Yes.

Mr. HUBERT. Do you know who answered the phone on the Jackson call on Sunday?

Mr. PAUL. The Jackson call?

Mr. HUBERT. Yes; do you know a man named Jackson?

Mr. PAUL. He works for me.

Mr. HUBERT. Did he call you on Sunday?

Mr. PAUL. Who?

Mr. HUBERT. Jackson?

Mr. PAUL. Yes.

Mr. HUBERT. Was there a girl who answered the phone?

Mr. PAUL. Yes.

Mr. HUBERT. Who is she?

Mr. PAUL. She was a waitress at the place.

Mr. HUBERT. What is her name and address?

Mr. PAUL. She isn't there any more, but let me think of her name—Bonnie.

Mr. HUBERT. Bonnie—and her last name?

Mr. PAUL. I can't recall it—I can't think of her last name right offhand.

Mr. HUBERT. Her nickname was Bonnie?

Mr. PAUL. Yes, sir.

Mr. HUBERT. Would you have any payroll records that would show what her full name was?

Mr. PAUL. Yes, sir.

Mr. HUBERT. Are they still available?

Mr. PAUL. Yes.

Mr. HUBERT. Do you know a man by the name of Lee Berry?

Mr. PAUL. Lee Barrett?

Mr. HUBERT. Berry [spelling] B-e-r-r-y?

Mr. PAUL. Lee Berry—that's my sister.

Mr. HUBERT. Oh, it's a lady?

Mr. PAUL. Yes, sir.

Mr. HUBERT. And did you call her Sunday morning just before 12 o'clock.

Mr. PAUL. Yes, sir; I call her every other Sunday.

Mr. HUBERT. Was that before you knew about Ruby shooting Oswald or afterwards?

Mr. PAUL. I think it was before. I'm not too sure, though. The difference in time, you see, I can't recall when I called her.

Mr. HUBERT. Do you remember speaking to Ruby on Sunday morning at all?

Mr. PAUL. No, sir.

Mr. HUBERT. Did you call his apartment?

Mr. PAUL. Yes, sir.

Mr. HUBERT. Whom did you speak to?

Mr. PAUL. Nobody.

Mr. HUBERT. There was no answer?

Mr. PAUL. That's right.

Mr. HUBERT. What time was it?

Mr. PAUL. Right after the assassination of Oswald. I was telling Tammi I couldn't believe it. I said, "I'll call the house and I'll call you back."

Mr. HUBERT. In other words, she called you and told you it was Ruby and then you called Ruby and you got no answer?

Mr. PAUL. No.

Mr. HUBERT. I think you told us before in a prior deposition that you had gone to see Tom Howard?

Mr. PAUL. Yes.

Mr. HUBERT. On Sunday morning or rather Sunday afternoon right after the shooting?

Mr. PAUL. Yes.

Mr. HUBERT. I think Tammi True took you there?

Mr. PAUL. Yes.

Mr. HUBERT. Now, isn't it a fact that you thought that the Dallas police and the people investigating the whole thing might want to talk to you?

Mr. PAUL. I didn't have an inkling at that time whether they would or not. What I was thinking about was the press.

Mr. HUBERT. How do you mean?

Mr. PAUL. Well, I came back to the place and the girl said, "Somebody from the press was looking for you."

Mr. HUBERT. Well, didn't it occur to you that the police might also want to interview you if the press did?

Mr. PAUL. That day? Then and there that day?

Mr. HUBERT. Yes.

Mr. PAUL. Well, I wasn't thinking about it at all.

Mr. HUBERT. Well, are you saying then that the reason why you went to the theater and so forth and weren't available was on account of the press?

Mr. PAUL. Yes; for the press.

Mr. HUBERT. And it was not on account of the police?

Mr. PAUL. That's right.

Mr. HUBERT. But weren't you told at one time that the police and the FBI were looking for you?

Mr. PAUL. I was told the FBI was looking for me.

Mr. HUBERT. Yes.

Mr. PAUL. And the reason I didn't want to appear right away was because of what they did to—what's his name—that lived with Jack.

Mr. HUBERT. George Senator?

Mr. PAUL. George Senator—they put him in jail.

Mr. HUBERT. When did you find that out?

Mr. PAUL. When I got to town, the same day.

Mr. HUBERT. So, really what you were doing in addition to avoiding the press, you wanted to avoid being arrested and you thought you might be?

Mr. PAUL. Well, I thought that after what they did to George Senator, that they might do the same thing to me.

Mr. HUBERT. Well, I can understand your thinking, but is it fair then to state that what you were doing was making yourself unavailable to the police as well as unavailable to the press?

Mr. PAUL. That's right.

Mr. HUBERT. That is, your motivations for not being available were twofold: You didn't want to see the press, you wanted to avoid the press, and you also wanted to avoid the police because you were worried that they might put you in jail?

Mr. PAUL. That's right.

Mr. HUBERT. And it's for that reason that you went to the theater, is that right?

Mr. PAUL. Yes.

Mr. HUBERT. And finally, of course, I believe it was one of your friends then that insisted that you should allow yourself to be interviewed by the FBI, and that finally that occurred about 9 o'clock at night?

Mr. PAUL. Yes.

Mr. HUBERT. How did you learn that Senator had been arrested?

Mr. PAUL. I was over at his office—Tom Howard's office.

Mr. HUBERT. And he told you so?

Mr. PAUL. Yes.

Mr. HUBERT. And you thought that your connection with Ruby was close enough that you might be arrested too?

Mr. PAUL. That's right.

Mr. HUBERT. Did Ruby mention the AGVA to you at anytime during these conversations?

Mr. PAUL. No.

Mr. HUBERT. You know what that is?

Mr. PAUL. Yes, sir.

Mr. HUBERT. Did he mention the Weinsteins and the trouble he was having with them?

Mr. PAUL. That was all the time before.

Mr. HUBERT. Which time before?

Mr. PAUL. Many weeks before—he was having trouble with Weinstein.

Mr. HUBERT. But I mean, did he speak to you about it during any of these conversations on Friday or Saturday?

Mr. PAUL. No, sir.

Mr. HUBERT. He did not?

Mr. PAUL. No, sir.

Mr. HUBERT. Did he talk about Oswald at all?

Mr. PAUL. No, sir.

Mr. HUBERT. He never mentioned his name?

Mr. PAUL. No, sir.

Mr. HUBERT. Once again, did you ever tell Ruby some such words as, "You're crazy," when he spoke to you on Saturday about doing something?

Mr. PAUL. No, sir.

Mr. HUBERT. I don't mean that you used that exact phrase, "You're crazy," but some such phrase to indicate to him your disapproval of what he was suggesting?

Mr. PAUL. No, sir.

Mr. HUBERT. Now, you know of course, Karen Bennett. You have just identified her. Did you know Kathy Kay?

Mr. PAUL. Yes.

Mr. HUBERT. Did you know Harry Olsen?

Mr. PAUL. The one that married her?

Mr. HUBERT. Yes.

Mr. PAUL. Yes.

Mr. HUBERT. He was a member of the police department?

Mr. PAUL. Yes, sir.

Mr. HUBERT. Did you see any of those people between November 22 and November 24?

Mr. PAUL. No, sir.

Mr. HUBERT. Did you talk to them during that time?

Mr. PAUL. No, sir.

Mr. HUBERT. I understand you called Kathy Kay on the 25th?

Mr. PAUL. Yes.

Mr. HUBERT. What was the purpose of that?

Mr. PAUL. I asked her if she wanted to come to work at the club.

Mr. HUBERT. You decided to reopen the club?

Mr. PAUL. Yes.

Mr. HUBERT. Who is Pappy Dolson?

Mr. PAUL. A booking agency.

Mr. HUBERT. What was your contract with him for him to do?

Mr. PAUL. To get the acts.

Mr. HUBERT. To do what?

Mr. PAUL. To get me entertainers.

Mr. HUBERT. Do you know of a man by the name of A. L. Davis, that had something to do with the Playboy Club?

Mr. PAUL. No, sir.

Mr. HUBERT. You never heard that name?

Mr. PAUL. Not that I recall.

Mr. HUBERT. Do you remember speaking to Ruby or referring Ruby to anybody in connection with the Playboy Club?

Mr. PAUL. No, sir.

Mr. HUBERT. Do you know whether Ruby was interested in opening an operation similar to the Playboy Club operation?

Mr. PAUL. He didn't tell me nothing about it.

Mr. HUBERT. Did he tell you about any new plans he had for a nightclub or a new nightclub?

Mr. PAUL. Oh, that was a couple of months before when he took me to show me a place that was empty, and he says, "I've got an idea," and I said to him, "You and your ideas!"

Mr. HUBERT. Did you have any business dealings with your sister, Lee Berry?

Mr. PAUL. Yes, sir.

Mr. HUBERT. Of what nature?

Mr. PAUL. I loaned her some money.

Mr. HUBERT. For a business?

Mr. PAUL. Yes.

Mr. HUBERT. And what sort of business?

Mr. PAUL. She's got a loan office in New Jersey.

Mr. HUBERT. That's where she lives?

Mr. PAUL. No; she lives in New York.

Mr. HUBERT. And she works in that loan office?

Mr. PAUL. Yes.

Mr. HUBERT. What is it called, do you know?

Mr. PAUL. It's a loan office in Lodi and it's the Pleasant—I had her card—Pleasant Finance Co.

Mr. HUBERT. Where is it located?

Mr. PAUL. Lodi, N.J.—[spelling] L-o-d-i.

Mr. HUBERT. What is the street address?

Mr. PAUL. 25 Main Street.

Mr. HUBERT. I think you've testified before concerning the loan of \$15,000 to Ruby in connection with helping him with his income tax trouble?

Mr. PAUL. Yes.

Mr. HUBERT. Was that loan made as one loan?

Mr. PAUL. No—a lot of loans.

Mr. HUBERT. It was a buildup, as I remember?

Mr. PAUL. Yes.

Mr. HUBERT. Was that from the time of Joe Bonds and the Sky Club?

Mr. PAUL. No; Joe Bonds had nothing to do with this thing.

Mr. HUBERT. What was your connection with Joe Bonds?

Mr. PAUL. He brought me down to Texas and went partners in this nightclub.

Mr. HUBERT. And I think you've already testified about that?

Mr. PAUL. Yes.

Mr. HUBERT. The loan to Ruby which eventually got up to \$15,000 was not all in connection with income tax troubles, was it?

Mr. PAUL. No; of course not.

Mr. HUBERT. As I remember, we went through that before?

Mr. PAUL. Yes.

Mr. HUBERT. Mr. Paul, have you ever been a member of the Communist Party?

Mr. PAUL. No, sir.

Mr. HUBERT. Have you ever been a member of the John Birch Society?

Mr. PAUL. No, sir.

Mr. HUBERT. Do you know how Ruby got hold of some literature that was found in his car relative to H. L. Hunt, who wrote it? Do you remember that?

Mr. PAUL. No.

Mr. HUBERT. Did he ever mention anything to you about that?

Mr. PAUL. No, sir.

Mr. HUBERT. Was he active in politics in any way?

Mr. PAUL. No, sir.

Mr. HUBERT. Did he ever campaign?

Mr. PAUL. No—no campaigning.

Mr. HUBERT. Did he distribute literature or engage in ward politics or precinct politics?

Mr. PAUL. Jack had none.

Mr. HUBERT. The answer is "No"?

Mr. PAUL. No.

Mr. HUBERT. What was his attitude toward his religion, do you know?

Mr. PAUL. He was very conscientious about it. You know, like I told you the first time that when his father died he went a year to the synagogue every week to pray.

Mr. HUBERT. Did he read any books about Jewish people and the history of the Jewish people and so forth?

Mr. PAUL. He might have, but I never recall seeing him.

Mr. HUBERT. Did you ever see any books in his apartment or literature of that sort?

Mr. PAUL. I don't think Ruby had any books. I don't think that Ruby read anything—well, he read papers. He read every newspaper that was in Dallas all the time.

Mr. HUBERT. I want to show you two pictures that have been identified as Exhibits Nos. 1 and 2 of the Deposition of Bruce Carlin and ask you if you recognize the man who is represented in those two pictures.

Mr. PAUL. (examining instruments referred to). I don't remember any of them—both of them—I don't remember them at all. The face don't even phase me.

Mr. HUBERT. In other words, you don't recognize the face at all?

Mr. PAUL. No.

Mr. HUBERT. Did you know Officer J. D. Tippit, the one that was shot by Oswald?

Mr. PAUL. No, sir.

Mr. HUBERT. If I tell you now that these are pictures of J. D. Tippit, that still doesn't refresh your memory as having seen them at all?

Mr. PAUL. I might have seen them in the paper and didn't even look close. [Examining instruments mentioned.]

Mr. HUBERT. To your knowledge, you've never seen him?

Mr. PAUL. No.

Mr. HUBERT. Now, I show you two other pictures that have been identified as follows: Exhibits Nos. 3 and 4. These are in the Deposition of Bruce Carlin of August 24, 1964, and ask you if you can identify the person whose picture appears in those exhibits?

Mr. PAUL (examining instruments mentioned). No.

Mr. HUBERT. Have you ever seen any man that looks like that?

Mr. PAUL. No, sir.

Mr. HUBERT. I tell you now that these are pictures of Bernard Weissman—have you ever seen or met this man?

Mr. PAUL. No.

Mr. HUBERT. The answer is "No"?

Mr. PAUL. I don't know a Bernard Weissman.

Mr. HUBERT. What was that?

Mr. PAUL. I don't know anybody by the name of Bernard Weissman.

Mr. HUBERT. And you have never seen this man?

Mr. PAUL. Not that I can recall. When you're at the club and you're standing around or walking around and somebody comes in and introduces himself, and as he says his name it just flies out the window, but I'll tell you, Jack had a good memory for names.

Mr. HUBERT. But your answer to me is that so far as your memory serves you, you don't recognize him as ever seeing this man, Bernard Weissman, who is in Exhibits Nos. 3 and 4 of the Deposition of Bruce Carlin?

Mr. PAUL. No.

Mr. HUBERT. Now, right after you opened the club there and after Oswald was shot, did you have a man there who was sort of a cashier for you?

Mr. PAUL. Yes; Leo Torti.

Mr. HUBERT. What was his name?

Mr. PAUL. Leo Torti—[spelling] T-o-r-t-i.

Mr. HUBERT. Is he in Dallas?

Mr. PAUL. Yes, sir.

Mr. HUBERT. Do you know where he is?

Mr. PAUL. No, sir.

Mr. HUBERT. He's a resident of Dallas, he lives there?

Mr. PAUL. Yes.

Mr. HUBERT. In your opinion, he's still in Dallas?

Mr. PAUL. I guess so.

Mr. HUBERT. What business was he in, do you know?

Mr. PAUL. Well, he was a salesman. I know, the last time I saw him was before Jack's trial, and he was out of work.

Mr. HUBERT. Did you pay for any part of Ruby's defense of hiring lawyers and so forth?

Mr. PAUL. No, sir.

Mr. HUBERT. You haven't put up any money at all?

Mr. PAUL (shaking his head for negative reply).

Mr. HUBERT. The answer is "No"?

Mr. PAUL. No.

Mr. HUBERT. This Leo Torti, does he resemble in any way this man, Bernard Weissman, whose pictures appear in Exhibits Nos. 3 and 4 of the Deposition of Bruce Carlin?

Mr. PAUL. No—not at all.

Mr. HUBERT. Do you remember talking to Ruby at all about the President's visit?

Mr. PAUL. No, sir.

Mr. HUBERT. Did you tell anyone on Sunday about the number of calls that you had received from Jack Ruby on Saturday?

Mr. PAUL. Yes; I told it to the people working at the place.

Mr. HUBERT. That would be who?

Mr. PAUL. Well, the Jacksons; the other girls that worked there.

Mr. HUBERT. What was the occasion of your telling them that, why did you tell them that?

Mr. PAUL. No occasion—I just said, "I spoke to him just last night a couple of times"—after the thing happened.

Mr. HUBERT. In other words, you spoke to them and told them that you had talked to Jack, but that was after you knew Jack had shot Oswald?

Mr. PAUL. No—I told them that he called me on Saturday night a few times.

Mr. HUBERT. But did you tell them that before you knew that Jack had shot Oswald or after?

Mr. PAUL. After.

Mr. HUBERT. All right, Mr. Paul. I don't believe we have talked about anything today that has not been made a part of the record, is that correct, sir?

Mr. PAUL. Yes, sir.

Mr. HUBERT. I certainly thank you for coming again, Mr. Paul.

Mr. PAUL. Okay—my pleasure.

TESTIMONY OF HARRY TASKER

The testimony of Harry Tasker was taken at 7 p.m., on August 24, 1964, at the Federal Building, Forth Worth, Tex., by Mr. Leon D. Hubert, Jr., assistant counsel of the President's Commission.

Mr. HUBERT. This is the deposition of Harry Tasker.

Mr. Tasker, my name is Leon Hubert. I am a member of the advisory staff of the general counsel of the President's Commission on the Assassination of President Kennedy. Under the provisions of Executive Order 11130 dated November 29, 1963, and the joint resolution of Congress, No. 137, and the rules of procedure adopted by the Commission in conformance with that Executive order and that joint resolution, I have been authorized to take this sworn deposition from you.

I state to you that the general nature of the Commission's inquiry is to ascertain, evaluate and report upon the facts relative to the assassination of President Kennedy and the subsequent violent death of Lee Harvey Oswald.

In particular, as to you, Mr. Tasker, the nature of the inquiry today is to determine what facts you know about the death of Oswald and any other pertinent facts you may know about the general inquiry and about Jack Ruby and his operations and movements and so forth.

We are also inquiring into the circumstances of the presence of Jack Ruby in the basement of the police department and his movements and so forth on November 24.

Now, Mr. Tasker, every witness is required by rules adopted by the Commission to have 3-days written notice to appear and give their deposition, but the rules also provide that if the witness is willing, he may waive that written notice and can go ahead and testify.

Mr. TASKER. I guess I can answer your questions or what you want to know—what's the use of waiting 3 days?

Mr. HUBERT. You are willing to testify right now, as I understand?

Mr. TASKER. Yes.

Mr. HUBERT. All right, will you rise so I can administer the oath.

Do you solemnly swear the testimony you are about to give in this matter will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. TASKER. Yes.

Mr. HUBERT. Will you state your name, please?

Mr. TASKER. Harry T. Tasker.

Mr. HUBERT. Where do you reside?

Mr. TASKER. Right now I'm living at 4396 Percy Street, Lancaster, Tex. I've bought me a home out there. It's in Dallas, but my mailing address is Lancaster, Tex.

Mr. HUBERT. What is your occupation?

Mr. TASKER. I drive a taxicab.

Mr. HUBERT. How long have you been so doing?

Mr. TASKER. Two years.

Mr. HUBERT. Now, did you have occasion to be near the Main Street entrance of the Dallas Police Department on the morning of Sunday, November 24, 1963?

Mr. TASKER. I was.

Mr. HUBERT. Would you tell us, please, how you came to be there?

Mr. TASKER. Well, I picked up a news reporter. I've forgot which one of the papers he was with. I don't know whether it was United or—I believe it was United, but I'm not for sure now, which press he was with.

Mr. HUBERT. It was a national press system, was it?

Mr. TASKER. Well, it was one of these reporters with the United Press, I believe. I believe that was it or either the Associated Press?

Mr. HUBERT. You don't know his name?

Mr. TASKER. No; and he hired me to stay with him and I drove around the block there and parked.

Mr. HUBERT. What time did he hire you?

Mr. TASKER. Well, now, that—I've forgotten, sir. It was up around between 9 and 10 o'clock in the morning, I believe now. Now, I might be wrong—now—I won't say.

Mr. HUBERT. So, he hired you to be standing by?

Mr. TASKER. Yes.

Mr. HUBERT. And you weren't to take any passengers, is that what your duties were?

Mr. TASKER. Oh, no—he paid me for my time and everything.

Mr. HUBERT. Did he tell you where to be so he could reach you?

Mr. TASKER. Yes; he had me to park about at a 45° angle east and north of the entrance of the north entrance of the city hall basement.

Mr. HUBERT. That's the so-called Main Street entrance?

Mr. TASKER. Yes.

Mr. HUBERT. So, you were parked on Main Street?

Mr. TASKER. Oh, yes.

Mr. HUBERT. Were you on the same side?

Mr. TASKER. Oh, no—I was on the opposite side.

Mr. HUBERT. And how far from Harwood Street were you?

Mr. TASKER. I was about—I'll say—90 feet.

Mr. HUBERT. Would you say that you were just nearly opposite the Main Street entrance?

Mr. TASKER. No; I was on about a 45°—you know.

Mr. HUBERT. Were there other cars parked the same way there?

Mr. TASKER. Well, you see what it was down there ahead of me was no parking zones and things like that, you see, and there was no one there.

Mr. HUBERT. So you were the only car there?

Mr. TASKER. I was the only one there.

Mr. HUBERT. Were you seated in your car all the time?

Mr. TASKER. Sir?

Mr. HUBERT. Were you seated in your taxi all the time?

Mr. TASKER. Yes; I was seated in my taxi part of the time, and then I went over one time to look for my reporter, you see, because I didn't want to lose him, and that's about all I ever done, and then I go back to my cab.

Mr. HUBERT. Now, if you were sitting in your cab, the back of your head would be toward the city hall, would it not?

Mr. TASKER. No.

Mr. HUBERT. No?

Mr. TASKER. It would be—I was looking straight at the city hall.

Mr. HUBERT. Well, when you say you were parked at a 90° angle—

Mr. TASKER. About a 45° angle.

Mr. HUBERT. A 45° angle, you were parked with the back of your cab near the curb or the front of your cab near the curb?

Mr. TASKER. The back of my cab was to the east. The front of my cab was to the west.

Mr. HUBERT. The back of your cab was toward the curbing on Main Street opposite from the police department?

Mr. TASKER. That's right.

Mr. HUBERT. So, in effect, you were on a 45° angle but looking at the Main Street entrance all the time?

Mr. TASKER. Yes.

Mr. HUBERT. Even when seated in the car, is that correct?

Mr. TASKER. Oh, yes.

Mr. HUBERT. How long were you there before the shooting took place?

Mr. TASKER. I don't know, sir; how long I was there. I can't recall just how long.

Mr. HUBERT. Well, do you think it was as long as half an hour?

Mr. TASKER. Well, I imagine I was there longer than that—maybe an hour or so.

Mr. HUBERT. Did you ever leave at all?

Mr. TASKER. No; you see, when you've got a customer, you don't leave your cab.

Mr. HUBERT. Where were you expecting your customer to come from?

Mr. TASKER. He was supposed to come back out the door.

Mr. HUBERT. The Main Street entrance?

Mr. TASKER. Yes.

Mr. HUBERT. In other words, you were looking for him to come out of the Main Street entrance of the jail?

Mr. TASKER. That's right, of the basement.

Mr. HUBERT. Of the basement—yes. Did you see a policeman standing in that entrance?

Mr. TASKER. Yes; there was a policeman.

Mr. HUBERT. Do you know his name?

Mr. TASKER. No; I don't.

Mr. HUBERT. Was he in uniform?

Mr. TASKER. Yes; I believe he was—yes, sir.

Mr. HUBERT. Where was he standing?

Mr. TASKER. Well, he was standing about the middle of the opening of the door.

Mr. HUBERT. Did he stand back into the ramp or forward?

Mr. TASKER. Oh—no.

Mr. HUBERT. Just in the ramp?

Mr. TASKER. Just beyond the opening.

Mr. HUBERT. Just beyond the opening and was right in the middle of it?

Mr. TASKER. Yes.

Mr. HUBERT. Did he move around?

Mr. TASKER. Oh, yes; he moved around—yes, sir.

Mr. HUBERT. Was there a crowd of people there?

Mr. TASKER. Yes.

Mr. HUBERT. Were there people on both sides of the ramp?

Mr. TASKER. Yes.

Mr. HUBERT. On the Harwood Street ramp as well as the Pearl Expressway ramp?

Mr. TASKER. Yes, sir.

Mr. HUBERT. How many people do you think there were on either side?

Mr. TASKER. Oh, I'd say there was a hundred.

Mr. HUBERT. You mean a hundred on each side?

Mr. TASKER. No—no.

Mr. HUBERT. About 50—about equally divided?

Mr. TASKER. Yes.

Mr. HUBERT. How close were they standing to the Main Street entrance?

Mr. TASKER. As far as from here to that wall.

Mr. HUBERT. As far as from here to that wall—that's about 7 or 8 feet?

Mr. TASKER. Yes.

Mr. HUBERT. Was this policeman having any difficulty with them?

Mr. TASKER. Well, yes, he had a little difficulty now and then. Somebody would try to slip by him and he would hail them and bring them back out.

Mr. HUBERT. Did that happen once or more than once?

Mr. TASKER. It happened a few times—I've just forgotten just how many.

Mr. HUBERT. Did he grab them?

Mr. TASKER. Oh, yes; he just went and got them and brought them back out. He didn't mistreat them or anything like that.

Mr. HUBERT. How would they slip by?

Mr. TASKER. Well, he was probably looking at something on this side and somebody didn't know he was on guard there and walked down there.

Mr. HUBERT. Now, just about a minute or so before the shooting, did you see a car come out of that ramp, come out of the Main Street ramp, out of that ramp, with policemen in it?

Mr. TASKER. There was a car went in, wasn't it?

Mr. HUBERT. You saw a car go in?

Mr. TASKER. Yes.

Mr. HUBERT. How long before the shooting did that car go in?

Mr. TASKER. I really don't know. It wasn't too awful long.

Mr. HUBERT. Well, how long?

Mr. TASKER. Oh, probably 15 or 20 minutes, we'll say.

Mr. HUBERT. Before the shooting?

Mr. TASKER. Yes.

Mr. HUBERT. What kind of car was it?

Mr. TASKER. It was one of the police squad cars.

Mr. HUBERT. It had policemen in it?

Mr. TASKER. Oh, yes.

Mr. HUBERT. How many, do you remember?

Mr. TASKER. Well, there was three people—three was two policemen and a gentleman in there in civilian clothes.

Mr. HUBERT. And they drove down into the basement?

Mr. TASKER. Down into the ramp—they drove down the ramp.

Mr. HUBERT. Which way did they come from, do you know?

Mr. TASKER. Well, they came from——

Mr. HUBERT. The Harwood Street direction?

Mr. TASKER. I believe they came off of Harwood and made a left turn there on Main Street and went on down in the ramp.

Mr. HUBERT. Did you see any other cars go down there?

Mr. TASKER. No.

Mr. HUBERT. Only one?

Mr. TASKER. That's all I remember.

Mr. HUBERT. Did you see any car come out?

Mr. TASKER. Well, I seen some cars come out after the shooting.

Mr. HUBERT. No; I mean before the shooting?

Mr. TASKER. No—I don't remember that.

Mr. HUBERT. You don't remember any at all?

Mr. TASKER. I don't remember whether any of them come out or not. It seemed to me like that the policeman was having a problem more so with people coming down on Sunday morning to get their friends and relatives and things like that out of jail after a Saturday night drunk.

Mr. HUBERT. In other words, the people that wanted to get in there, you thought had a legitimate reason for going in there?

Mr. TASKER. Yes, but they couldn't come in that door.

Mr. HUBERT. How were you able to tell that, could you hear conversations?

Mr. TASKER. No, but that's the general thing down there on Sunday morning.

Mr. HUBERT. Did you ever go on the other side of Main Street from where your car was parked?

Mr. TASKER. No.

Mr. HUBERT. You always stayed on your own side?

Mr. TASKER. Yes.

Mr. HUBERT. Do you know a man by the name of Nathaniel Daniels?

Mr. TASKER. I don't believe I do.

Mr. HUBERT. Did you know Jack Ruby at all?

Mr. TASKER. No—no, sir.

Mr. HUBERT. You've seen his pictures, of course, since?

Mr. TASKER. Oh, I've seen his pictures.

Mr. HUBERT. Did you see him around in that crowd that morning?

Mr. TASKER. No, sir; I never have remembered seeing that man coming up, walking, riding, or anything else.

Mr. HUBERT. You didn't see him coming up Main Street from the Western Union office?

Mr. TASKER. No.

Mr. HUBERT. You didn't see him walking along Main Street?

Mr. TASKER. No, sir.

Mr. HUBERT. Did you see Vaughan come out in the street at anytime to control traffic so the police car could get by?

Mr. TASKER. I believe, sir; he did. I'm not for sure, but I believe one of them come out there to control traffic, and I suppose it was him.

Mr. HUBERT. When did he have occasion to do that?

Mr. TASKER. Well, it was—I think he came out to hold the traffic up so this car could get out.

Mr. HUBERT. Which car was that?

Mr. TASKER. The one coming out of the basement.

Mr. HUBERT. And how long before the shooting was that?

Mr. TASKER. Well, I don't remember whether that was before that shooting or after.

Mr. HUBERT. You don't remember whether it was before or after?

Mr. TASKER. I don't remember that, sir.

Mr. HUBERT. But you do remember that on one occasion at least, that you saw him come out to direct traffic so that this automobile could come out?

Mr. TASKER. That's right.

Mr. HUBERT. And you remember only one automobile?

Mr. TASKER. Well, it might have been more, but I don't remember but one.

Mr. HUBERT. Your impression is that what you saw was after the shooting rather than before?

Mr. TASKER. Yes.

Mr. HUBERT. Do you have any reason for forming that opinion?

Mr. TASKER. No—I've been very—I've always thought the case—I've never talked about the case to anybody, you see, because in the first place, I would implicate myself in something I don't want to be implicated in. I have no part of it and—

Mr. HUBERT. Were you ever interviewed by the FBI?

Mr. TASKER. Sir?

Mr. HUBERT. Were you ever interviewed by the FBI?

Mr. TASKER. Yes, sir.

Mr. HUBERT. Let me ask you again—did any cars go down in there, say within 5 or 10 minutes before the shooting—go down in there? You said you saw one?

Mr. TASKER. Well, now, sir; it seemed like it probably would have been more than one and it might have been two, but just to remember back that far, I don't remember too much about it no more.

Mr. HUBERT. In other words, as I understand it, you would say that there was at least one and possibly two cars that went down in the basement?

Mr. TASKER. Yes, sir.

Mr. HUBERT. Now, I'd like, if you could, to fix the time of at least the one and possibly the other?

Mr. TASKER. Well, let me think about it this way—what time in the morning was it he was shot down there? Wasn't it between 10 and 11 o'clock?

Mr. HUBERT. Suppose you figure it was about 11:20?

Mr. TASKER. He got shot around 11:20?

Mr. HUBERT. Yes.

Mr. TASKER. Well—

Mr. HUBERT. I don't know if you can do it by clock time, unless you were watching your watch. You'd have to do it by how much time passed between the time the car went down in and/or came out and the time of the shooting?

Mr. TASKER. Well, sir; it seemed to me like that those cars probably went down there around 20 to 30 minutes ahead of that shooting.

Mr. HUBERT. It's your impression that there was none that went down in there 5 or 10 minutes before the shooting?

Mr. TASKER. No.

Mr. HUBERT. And with reference to the one that came out, you don't know how to fix that at all?

Mr. TASKER. I believe that one came out after the shooting.

Mr. HUBERT. Was that the time that Vaughan stepped out in the street—you think that was after the shooting?

Mr. TASKER. Yeah.

Mr. HUBERT. How did the shooting come to your attention?

Mr. TASKER. I heard it—I heard the fire—I heard the shot.

Mr. HUBERT. And it was after you heard the shot that you saw Vaughan come out and that car come in there?

Mr. TASKER. There was cars come out of there—maybe several cars, but I know of two that come out of there at least.

Mr. HUBERT. After the shooting?

Mr. TASKER. After the shooting.

Mr. HUBERT. Now, put your mind to this—you remember the shooting because your memory still retains the sound of that shot?

Mr. TASKER. Yes; I heard the shot.

Mr. HUBERT. Now, about a minute or so before that, did a car come out of that place?

Mr. TASKER. I believe it did, sir; and I won't swear it to be the truth, but I believe it did, because that policeman had gotten away from that opening for some reason, and he was sort of crouched down so he could see under the curvature of the basement, you know? You know what I'm trying to explain to you? He couldn't stand up straight and see into the basement—you have to crouch down to see what those people were doing down there—he crouched down and pulled his pistol, when he heard that fire.

Mr. HUBERT. No; I was thinking about that automobile coming out of there just before?

Mr. TASKER. Well, I believe that's where that automobile come up there because they got him away from that door, you see.

Mr. HUBERT. You mean—before the shot?

Mr. TASKER. Well, he got away from that door for some reason—just before that happened.

Mr. HUBERT. Just before the shot?

Mr. TASKER. Yes.

Mr. HUBERT. Did you see him get away from the door?

Mr. TASKER. Oh, he was just there keeping people back.

Mr. HUBERT. Well, isn't it a fact that the car passed by and he had to get out of the way of the car so it could pass, isn't that it, and that he stepped out and perhaps went at least to the curb and perhaps into the street to look for traffic?

Mr. TASKER. Yes; that's possible.

Mr. HUBERT. But you have no recollection of it?

Mr. TASKER. No—I don't know this, but I believe that at the time that that was all screwed up and the crowd was kind of leaving, they sent him some help out there—a plainclothes policeman.

Mr. HUBERT. That was after the shooting too, wasn't it?

Mr. TASKER. Well, that was a few minutes before the shooting too.

Mr. HUBERT. Why did you think that the man they sent to help him, who was in plainclothes, was a policeman?

Mr. TASKER. Because I know him when I see him.

Mr. HUBERT. What's his name?

Mr. TASKER. I don't know what his name is, sir. I know he's a policeman.

Mr. HUBERT. Was he a white man or Negro?

Mr. TASKER. Yes. When you drive a cab for 2 years and I've been in this town since 1923, you learn the policemen.

Mr. HUBERT. It was your impression that there was a policeman in plainclothes was sent or who came to stand with the man—the policeman in uniform?

Mr. TASKER. Well—and to assist him with that traffic and that crowd, and when the shooting happened, then they called in additional squad cars to come there and help too.

Mr. HUBERT. That plainclothes policeman was there with the uniformed policeman helping him for how long before the shooting?

Mr. TASKER. For probably 15 or 10 or 20 minutes—something like that.

Mr. HUBERT. You don't know his name at all?

Mr. TASKER. No—I don't even know the policeman's name on that door that day. I'd know him if I seen him.

Mr. HUBERT. You think you would know the plainclothes policeman if you saw him?

Mr. TASKER. Well, that, I couldn't say.

Mr. HUBERT. Could you describe him a little bit?

Mr. TASKER. Well, he was a man that weighed about 175 pounds.

Mr. HUBERT. A young man, middle-aged man?

Mr. TASKER. Well, he wasn't particularly a young man. He was a man between 40 or 45 years old.

Mr. HUBERT. How was he dressed?

Mr. TASKER. Well, the best I can remember, I believe he was in a dark suit.

Mr. HUBERT. Did he have a hat on?

Mr. TASKER. I don't believe he did.

Mr. HUBERT. What was he doing to assist the uniformed policeman?

Mr. TASKER. Just keeping the crowd back so that they could get the traffic in.

Mr. HUBERT. In any case, he came to your attention and you recognized him as a man you knew to be a policeman?

Mr. TASKER. Oh, yes.

Mr. HUBERT. Do you remember where you met him or saw him?

Mr. TASKER. No—just around.

Mr. HUBERT. Was he a detective, you think?

Mr. TASKER. He was a detective.

Mr. HUBERT. You knew him as a detective?

Mr. TASKER. Oh—yes.

Mr. HUBERT. Do you remember what part of the department he was in—the vice squad?

Mr. TASKER. No; I don't. You see, you meet them, sir, driving a cab. They try to pull stunts on cabdrivers, and that's where you learn them.

Mr. HUBERT. Probably the vice squad then?

Mr. TASKER. You know—they try—I don't want this in the words here—

Mr. HUBERT. Well, that's all right. You actually work for the City Transportation Co., don't you?

Mr. TASKER. That's right.

Mr. HUBERT. And their offices are located at 610 South Akard Street?

Mr. TASKER. Yes, sir—South Akard.

Mr. HUBERT. Do you own your cab?

Mr. TASKER. No; they own it.

Mr. HUBERT. You had never met Ruby before?

Mr. TASKER. No—no, sir.

Mr. HUBERT. You never brought any customers to his Carousel Club?

Mr. TASKER. No—in fact, I didn't know he had a place down there. I might have took someone some time down there.

Mr. HUBERT. How long after the shooting did your reporter come back?

Mr. TASKER. Oh, it was probably 20 or 30 minutes and he come and told me he wouldn't need me no more.

Mr. HUBERT. He paid you and you just went off?

Mr. TASKER. Well, he had already paid me. He had given me the money—he had already given me \$10 and he give me a couple more dollars more.

Mr. HUBERT. Were you ever interviewed by the Dallas Police Department?

Mr. TASKER. No, sir.

Mr. HUBERT. Just the FBI?

Mr. TASKER. Just the FBI and they got my name through this reporter.

Mr. HUBERT. The reporter told them about you?

Mr. TASKER. You know, that he had hired a cab.

Mr. HUBERT. He knew your name?

Mr. TASKER. He knew my number.

Mr. HUBERT. When were you interviewed by the FBI?

Mr. TASKER. Oh, I was interviewed, I think, two or three times—the best I can remember—probably—I know twice, it might have been three, but I believe it was just twice.

Mr. HUBERT. It was all right after the shooting?

Mr. TASKER. Once was right after and then there was a little time lapsed.

Mr. HUBERT. Where were you interviewed—in the FBI office?

Mr. TASKER. No; down at the office of the company.

Mr. HUBERT. There was no one else with you that day?

Mr. TASKER. Oh—no—you mean when they interviewed me?

Mr. HUBERT. No; I mean on Sunday the 24th, when you were waiting?

Mr. TASKER. No—no—you mean with me?

Mr. HUBERT. Yes?

Mr. TASKER. Oh—no.

Mr. HUBERT. Do you know anybody else who was around then?

Mr. TASKER. No; I don't.

Mr. HUBERT. You can't recollect any person that you now know who was there?

Mr. TASKER. No; I don't remember seeing anybody I knew—you know—personally.

Mr. HUBERT. Except the plainclothes policeman?

Mr. TASKER. I didn't know them personally.

Mr. HUBERT. No; but you just knew he was a policeman?

Mr. TASKER. Yes; that's right. I've never been arrested in my life, sir, or anything, or any kind of prosecution and so I don't say I know any policeman because I don't have no problems for them to solve.

Mr. HUBERT. All right, sir. I think that's all. Let me ask you this final question—is it not a fact that there has been no conversation between you and me except that which has gone in the record?

Mr. TASKER. Yes.

Mr. HUBERT. Thank you, Mr. Tasker. I appreciate your coming down, sir.

Mr. TASKER. Well, it was an awful thing for that to come to Dallas—I'll tell you that, and I was glad they didn't get me down there on that jury.

Mr. HUBERT. All right, sir. Thank you very much indeed. That's all.

Mr. TASKER. All right. I'm glad I met you.

Mr. HUBERT. I'm glad I met you, sir.

Mr. TASKER. Thank you.

TESTIMONY OF LYNDAL L. SHANEYFELT

The testimony of Lyndal L. Shaneyfelt was taken at 10:45 a.m., on September 1, 1964, at 200 Maryland Avenue NE., Washington, D.C., by Mr. Norman Redlich, assistant counsel of the President's Commission.

Mr. REDLICH. The purpose of today's deposition is to take the testimony of Lyndal L. Shaneyfelt, special agent with the Federal Bureau of Investigation. Mr. Shaneyfelt, you have previously testified in connection with the Commission proceedings on April 23, 1964, and June 12, 1964, is that correct?

Mr. SHANEYFELT. That is correct.

Mr. REDLICH. You still consider yourself under oath?

Mr. SHANEYFELT. Yes; I do.

Mr. REDLICH. You also appeared on one other occasion; is that correct, Mr. Shaneyfelt?

Mr. SHANEYFELT. That is correct.

Mr. REDLICH. And that was the date when you testified in connection with the reenactment that was conducted in Dallas?

Mr. SHANEYFELT. That is correct.

Mr. REDLICH. During your previous testimony, Mr. Shaneyfelt, you testified concerning the retouching which, according to your testimony, had been performed on the photograph which has heretofore been designated as Commission Exhibit No. 133-A; is that correct?

Mr. SHANEYFELT. Yes.

(Shaneyfelt Exhibits Nos. 8, 9, 10, 11, 12, and 13 were so marked and introduced.)

Mr. REDLICH. I hand you now an exchange of correspondence between the Commission and Life magazine, which has been designated as Shaneyfelt Exhibits Nos. 8, 9, 10, 11, and 12, together with a photograph furnished to the Commission by Life magazine which has been designated as Shaneyfelt Exhibit No. 13, and I asked you to review this correspondence.

For the record, Mr. Shaneyfelt, have you read this correspondence?

Mr. SHANEYFELT. Yes; I have.

Mr. REDLICH. This correspondence will show that the Commission advised Life magazine of your prior testimony, and requested of Life magazine the original photograph upon which the retouching was performed. Does Shaneyfelt Exhibit No. 13 purport to be that original photograph, Mr. Shaneyfelt?

Mr. SHANEYFELT. Yes; it does.

Mr. REDLICH. And Shaneyfelt Exhibit No. 13 was forwarded to you by the Commission for examination; was it not?

Mr. SHANEYFELT. That is correct.

Mr. REDLICH. The Commission asked you to examine that photograph in order to describe in greater detail the actual retouching which was performed on that photograph preparatory to publication; is that correct?

Mr. SHANEYFELT. That is right.

(Shaneyfelt Exhibit No. 14 was marked and introduced.)

Mr. REDLICH. I now hand you another exhibit which is designated as Shaneyfelt Exhibit No. 14, and ask you to describe how it was made, and what it purports to demonstrate?

Mr. SHANEYFELT. Shaneyfelt Exhibit No. 14 is a chart that I prepared to illustrate the retouching that I found in my examination of the Life magazine photograph which is Shaneyfelt Exhibit No. 13. This chart consists of three different photographs. Photograph A is a normal print of Commission Exhibit No. 133-A. Photographs B and C are photographs of the Life magazine picture, which is Shaneyfelt Exhibit No. 13, made using special lighting technique in order to portray the retouching that has been added to the Life magazine photograph, Shaneyfelt Exhibit No. 13.

Mr. REDLICH. On each of these three photographs there appear a series of numbers starting with No. 1, and running consecutively through No. 11; is that correct?

Mr. SHANEYFELT. That is correct.

Mr. REDLICH. Can you describe the significance of these numbers?

Mr. SHANEYFELT. The numbers with red arrows were placed on the photographs to point to specific areas of retouching, and relate them to these same areas of the photograph which is Commission Exhibit No. 133-A.

Mr. REDLICH. And as I understand it, using No. 1 as an example, the arrow next to No. 1 in photograph A of Shaneyfelt Exhibit No. 14, points to the stock of the rifle as it appeared in the picture which has heretofore been designated as Exhibit No. 133-A.

The arrow next to No. 1 in photograph B of Shaneyfelt Exhibit No. 14 points to the same spot on the stock of the rifle and points to a specific indication of retouching which you will subsequently describe?

Mr. SHANEYFELT. That is correct.

Mr. REDLICH. And the arrow next to No. 1 in photograph No. C of Shaneyfelt Exhibit No. 14 points to the same spot on the rifle; namely, the stock, and is placed here in order to indicate in more specific detail the type and manner of retouching which was done at this particular location?

Mr. SHANEYFELT. That is correct.

Mr. REDLICH. Starting with No. 1 and going through No. 11, would you describe the points on the picture and the type of retouching which was performed?

Mr. SHANEYFELT. Yes. Point No. 1 on all photographs, A, B, and C, points to the stock of the rifle, particularly the top area of the stock running from the butt of the rifle to the breech.

On photograph A this No. 1 area is rather indistinct but shows that the rifle stock runs in a straight line from the butt up about two-thirds of the way to the breech, where it curves down around a highlight that is clearly visible on photograph A of Shaneyfelt Exhibit No. 14. It curves around that highlight and then recurves up to the breech.

In this same general area of No. 1 of photograph B, there is a dark area which is an area of retouching that is on the photograph which is Shaneyfelt Exhibit No. 13, that runs from the butt of the rifle all the way to the breech without any curve or recurve around the highlight.

The highlight is still present on this photograph. However, the retouching line runs straight past and is a straight line of retouching and does not follow the actual configuration of the rifle stock in that area.

Mr. REDLICH. Just so the record is completely clear on this, Mr. Shaneyfelt, the retouching marks which appear in pictures B and C of Shaneyfelt Exhibit No. 14, are the retouching marks which appear on the photograph furnished to the Commission by Life magazine and which has been designated as Shaneyfelt Exhibit No. 13?

Mr. SHANEYFELT. That is correct. The retouching does not appear as prominent in the Life magazine photograph, which is Commission Exhibit No. 13, as it does in the photographs B and C of Shaneyfelt Exhibit No. 14, because photographs B and C were made with special lighting to bring out this retouching, but they are nevertheless, the points of retouching are nevertheless, there on the Life magazine photograph.

Mr. REDLICH. And photographs B and C of Shaneyfelt Exhibit No. 14 were actually made from the photograph which is Shaneyfelt Exhibit No. 13?

Mr. SHANEYFELT. That is correct.

Mr. REDLICH. Will you continue?

Mr. SHANEYFELT. Photograph C of Shaneyfelt Exhibit No. 14 shows at point 1, which is the area of the upper edge of the stock of the rifle, this straight line retouching going directly from the butt to the breech without a recurve, and not in conformity with the actual contour of the stock of the rifle in that area.

Points No. 2 in all photographs A, B, and C, point to the telescopic sight of the rifle. In photograph B retouching is shown around this point No. 2 where retouching has been added to enhance the detail around the rifle scope. This is also shown clearly as retouching at point 2 in photograph C.

Point No. 3 in photographs A, B, and C, in Shaneyfelt Exhibit No. 14, refers to the area along the top of the rifle beyond the breech just above Oswald's left hand. There is a retouching line that runs from Oswald's hand to the point where the gun protrudes past his shoulder. This is clear in photographs B and C at point No. 3.

Photograph A at point 3 shows how the photograph appears in that area on Commission Exhibit No. 133-A.

Point No. 4 refers to the retouching along the lower edge of the right arm of Oswald, and that area No. 4 of photographs B and C clearly show this retouching along the edge of the elbow and a large spot just below the elbow where a shadow between two fence posts has been removed in order to show the contour of the elbow in better detail.

Point No. 5 refers to the shoulder area of the photographs A, B, and C in Shaneyfelt Exhibit No. 14. The photograph A, point 5, shows the shoulder as it is in Commission Exhibit No. 133-A, and point 5 in photographs B and C shows the retouching along Oswald's right shoulder.

Point No. 6 in photographs A, B, and C refers to the right side of Oswald's neck and chin area, and point 6 in photographs B and C clearly shows the retouching along the right side of Oswald's neck, and around his chin and some slight retouching into, slightly into, his cheeks.

Point No. 7 in photographs A, B, and C, shows the area of the left side of Oswald's head where retouching has been added to the Life magazine photograph, Shaneyfelt Exhibit No. 13—

Mr. REDLICH. May I interrupt you there? You said where retouching has been added to the Life photograph. Did you mean that or did you mean that the Life photograph as published contained this retouching?

Mr. SHANEYFELT. I mean that the Life photograph as published contains the retouching. That the retouching has been added prior to publication.

Point No. 7 refers to the retouching along the left side of Oswald's head in the hair area, and is clearly visible as retouching in the photographs B and C at point No. 7.

Point No. 8 refers to an area of background to the right of Oswald's head, to the left of his head as the viewer looks at the picture. This is an area that has been airbrushed in order to lighten the background so that the detail of the photograph in that area will be better.

Point No. 9 in photographs A, B, and C of Shaneyfelt Exhibit No. 14, shows an area directly below the rifle butt to the side of Oswald's right thigh where retouching has been added to decrease the darkness of the shadow between two fence posts in that area.

This is evident in area 9 of photographs B and C. It is more clearly shown in 9-C.

Point No. 10 in the three photographs on Shaneyfelt Exhibit No. 14 shows the retouching between the thighs of Oswald. Photograph A shows quite a dark area between the thighs, and this has been eliminated by retouching as shown in 10-B and 10-C, and the retouching clearly shows in 10-C.

Likewise, there is a dark shadow along the side of Oswald's left knee that has been eliminated by retouching or softened by retouching, and this retouching shows in Exhibits B and C at point 11.

This represents the primary or outstanding areas of retouching that I found from an examination of the Life magazine photograph, which is Shaneyfelt Exhibit No. 13.

Mr. REDLICH. Mr. Shaneyfelt, when you discussed this photograph in your prior testimony, you expressed your opinion to the effect that the retouching which was done preparatory to the publication of the photograph on the cover of Life magazine was normal and customary. On the basis of your detailed examination of the retouching made from the photograph as submitted to the Commission by Life magazine, would you now care to state your opinion as to whether this is customary and normal retouching in connection with the publication of a photograph?

Mr. SHANEYFELT. Yes. It is my opinion, based on my examination of the photograph, Shaneyfelt Exhibit No. 13, that all of the retouching that I found on this photograph I would consider to be normal, routine retouching that is a normal part of the reproduction process.

Mr. REDLICH. In your prior testimony, you stated that on the basis of your examination of the photograph which had been published in Life magazine, it was your opinion that this photograph published in Life magazine was the same photograph which has heretofore been designated as Commission Exhibit No. 133-A, with the retouching that you have described.

Now, today, on the basis of your detailed examination of this retouching, is it still your opinion that the photograph which appeared on the cover of Life magazine is a retouched photograph of the photograph which has heretofore been designated as Commission Exhibit No. 133-A?

Mr. SHANEYFELT. Yes.

(Shaneyfelt Exhibits Nos. 15 and 16 were marked and introduced.)

Mr. REDLICH. Mr. Shaneyfelt, I now hand you an exchange of correspondence between the Commission and Newsweek, Inc., the publishers of Newsweek magazine, which is marked Shaneyfelt Exhibits Nos. 15 and 16, and ask you if you have had an opportunity to review this exchange of correspondence?

Mr. SHANEYFELT. Yes; I have.

Mr. REDLICH. The record will show that in prior testimony appearing on page 414 of volume 7 of the hearings of the Commission, you testified concerning the

retouching which had been performed on this photograph prior to its publication in Newsweek magazine.

I may add that during the course of that prior testimony the page from Newsweek containing a reproduction of that photograph was introduced into evidence as Shaneyfelt Exhibit No. 5.

Having reviewed the correspondence between the Commission and Newsweek, Inc., I ask you whether you have anything to add to or any testimony which you would like to correct having compared the Newsweek correspondence and your prior testimony?

Mr. SHANEYFELT. No; I have nothing to add or nothing to correct. I find the correspondence from Newsweek to be consistent with my prior testimony.

(Shaneyfelt Exhibits Nos. 17, 18, and 19 were marked and introduced.)

Mr. REDLICH. Mr. Shaneyfelt, I now hand you a letter from the New York Times addressed to Mr. J. Lee Rankin, which has been marked as Shaneyfelt Exhibit No. 17, and also hand you a photograph furnished by the New York Times which has been designated as Shaneyfelt Exhibit No. 18, and some printed material designated as Shaneyfelt Exhibit No. 19, also furnished by the New York Times, which is a caption and other descriptive material concerning this photograph as used by the New York Times when the photograph was published.

I also wish to point out for the record that the reproduction of the New York Times photograph has previously been designated as Shaneyfelt Exhibit No. 6 and was discussed by you on pages 416 and 417 of volume 7 of the hearings of this Commission.

Have you had an opportunity to review this letter from the New York Times to Mr. Rankin?

Mr. SHANEYFELT. Yes; I have.

Mr. REDLICH. Do you find that the letter from the New York Times is consistent with the testimony you have previously given concerning the retouching which was performed by the New York Times preparatory to the publication of this photograph?

Mr. SHANEYFELT. Yes; I do.

Mr. REDLICH. Is there anything that you would like to add to or correct in your previous testimony in connection with this photograph?

Mr. SHANEYFELT. No; I have nothing to add or correct. I find the correspondence and photograph to be entirely consistent with my previous testimony.

Mr. REDLICH. And through all of your examination of the retouching that was performed on the photograph which has been designated as Commission Exhibit No. 133-A, you are still of the opinion that all of the pictures which have been published and which you have identified, were copies of Commission Exhibit No. 133-A, with the retouching performed as you have heretofore described?

Mr. SHANEYFELT. That is correct.

Mr. REDLICH. Mr. Shaneyfelt, the record of the testimony before this Commission will show that in Commission Exhibit No. 133-A Lee Harvey Oswald appears to be holding two newspapers.

The Commission asked the FBI, did it not, to examine Commission Exhibit No. 133-A in order to determine the exact issues of the publications which appear in the right hand of Lee Harvey Oswald in Commission Exhibit No. 133-A, is that correct?

Mr. SHANEYFELT. That is right.

Mr. REDLICH. Did you perform the examination of Commission Exhibit No. 133-A in connection with this request of the Commission?

Mr. SHANEYFELT. Yes; I did.

(Exhibits 20, 21 and 22 were marked and introduced.)

Mr. REDLICH. At this time, I would like to introduce into the record a copy of the Militant, which has been designated as Shaneyfelt Exhibit No. 20, and a copy of the Worker, which has been designated as Shaneyfelt Exhibit No. 21, a copy of a letter dated June 29, 1964 from J. Edgar Hoover, Director of the FBI, to Mr. J. Lee Rankin, which is a discussion of the results of your investigation in connection with these two publications; and Shaneyfelt Exhibit No. 22.

I ask you to describe at this time by making reference to the exhibits which I

have heretofore designated, the results of your investigation concerning the question of the specific issues of the two publications held by Lee Harvey Oswald in Commission Exhibit No. 133-A?

Mr. SHANEYFELT. Shaneyfelt Exhibit No. 22 is a chart that I made better to illustrate the results of my examination, and it consists of three photographs, lettered A, B, and C. The center photograph, being photograph A, is an enlargement of the newspapers being held by Oswald in Commission Exhibit No. 133-A. By an examination of this enlarged photograph, I find it is possible to see the headlines and certain portions of the two papers being held, one of them being the Militant, and one of them the Worker.

I obtained copies of both of these papers for an extended period of time, and went through them and found that the Militant for Monday, March 11, 1963, which is volume 27, No. 10, and has been marked as Shaneyfelt Exhibit No. 20, conforms to the copy of the Militant being held by Oswald in picture A of Shaneyfelt Exhibit No. 22.

Picture C of Shaneyfelt Exhibit No. 22 is a photograph of the headlines of that issue of that paper. In examining this material I found that the Militant portion, printed on the upper right hand portion of the page, is in the same location as in the photograph A of Oswald holding the papers, as it is in the copy of the Militant which is Shaneyfelt Exhibit No. 20.

In addition, the general configuration of the headlines in the center column which read "Miss.," abbreviation for Mississippi, "Racists Shoot Down a Rights Worker," those headlines are not readable in the photograph of the newspaper being held by Oswald, but the general configuration of the type is the same.

There is a photograph of Bertram Powers reproduced in the second column near the top of the Militant for Monday, March 11, 1963, which is Shaneyfelt Exhibit No. 20. The top of this photograph is visible in the same location and has the same characteristics in the newspaper being held by Oswald in photograph A of Shaneyfelt Exhibit No. 22.

Mr. REDLICH. Before passing to the other publication, did you find that in your examination of the prior issues of the Militant, that there was considerable variation in the typography of the publication?

Mr. SHANEYFELT. Yes; I found the name block for the Militant did not always appear in the upper right-hand corner. It was sometimes in the left. Sometimes the headlines ran across the top of the name block and there was great variety in the typography of the headlines of the papers.

Mr. REDLICH. Do you recall the period of time of the issues that you examined?

Mr. SHANEYFELT. Approximately 1 year.

Mr. REDLICH. One year prior to what date?

Mr. SHANEYFELT. Prior to November.

Mr. REDLICH. Would you say it was a period—

Mr. SHANEYFELT. End of November.

Mr. REDLICH. Approximately November 1962 to November 1963?

Mr. SHANEYFELT. Yes; through November 1963.

Mr. REDLICH. And it is your opinion that based upon an examination of those issues and these photographs that the issue which appears in Commission Exhibit No. 133-A is the issue of March 11, 1963?

Mr. SHANEYFELT. That is correct.

In the examination of the other newspaper held by Oswald in Commission Exhibit No. 133-A, I reviewed issues of the Worker for approximately 1 year from November issues of 1962 through all of the November issues for 1963, and found that the March 24, 1963, issue of the Worker, which is volume 28, No. 124, matches the newspaper being held by Oswald in Commission Exhibit No. 133-A.

Again, the enlarged photograph of this newspaper in photograph A of Shaneyfelt Exhibit No. 22, shows some of the type of the headlines and the block of the title "The Worker."

B photograph of Shaneyfelt Exhibit No. 22 shows this same area of the headline of the March 24, 1963, issue of the Worker. The headline of that newspaper, which has been designated as Shaneyfelt Exhibit No. 22, is "War Hogs Fight At TFX Plane Profit Trough."

In the photograph A of Oswald holding the paper on Shaneyfelt Exhibit No. 22, you can clearly see the Worker and you can clearly see the "At TFX" which

is a part of the headline, and the bottom of the "W" of the word "War," and based on these characteristics, it is my opinion that one of the newspapers being held by Oswald in Commission Exhibit No. 133-A is the March 24, 1963, issue of the Worker which is the same issue as Shaneyfelt Exhibit No. 21.

Mr. REDLICH. Referring now, Mr. Shaneyfelt, to the letter which has been designated as Shaneyfelt Exhibit No. 22, this letter indicates the mailing dates and the approximate dates when these publications were received in Dallas.

As I understand it, you did not take part in the investigation which led to that aspect of the letter which has been designated as Shaneyfelt Exhibit No. 22?

Mr. SHANEYFELT. That is correct. That investigation was done by agents in our Dallas and other field offices.

Mr. REDLICH. I would like to read into the record at this time the following paragraph from the letter which has been designated as Shaneyfelt Exhibit No. 22:

"It has been determined that the March 24, 1963 issue of 'The Worker' was mailed on March 21, 1963 by second class mail. It was also determined that the March 11, 1963 issue of 'The Militant' was mailed on March 7, 1963 by second class mail. Representatives of the U.S. Post Office in New York City have advised that the above newspapers transmitted by second class mail would take from six to seven days to arrive in Dallas, Texas, under ordinary delivery conditions."

The record will show that during the course of her testimony, Mrs. Marina Oswald identified Commission Exhibit No. 2 as a photograph which she believed to have been taken by her husband in connection with his planning for the attack on Maj. Gen. Edwin A. Walker, which occurred on April 10, 1963.

The record will also show that investigation has established that Commission Exhibit No. 2 is a photograph of an alley running behind the house of General Walker through which cars are able to drive into the parking lot of a church adjacent to General Walker's house.

It has also been established in prior investigation that the driveway running off this alley to the left, as one looks at the photograph, is the driveway of General Walker's house.

Investigation has also established the approximate date on which this photograph was taken by reference to the construction work being performed on the large building appearing in the background of this photograph.

Mr. Shaneyfelt, the Commission asked the FBI to examine this photograph for the additional purpose of determining, if possible, the camera which was used to take the photograph.

Did you perform this investigation for the FBI?

Mr. SHANEYFELT. Yes; I did.

(Shaneyfelt Exhibit No. 23 was marked and introduced.)

Mr. REDLICH. I introduce into the record at this time an exhibit designated as Shaneyfelt Exhibit No. 23, consisting of two photographs, and I ask you to describe the photographs and the results of your investigation undertaken pursuant to the Commission's request.

Mr. SHANEYFELT. Shaneyfelt Exhibit No. 23 consists of two photographs, A and B. Photograph A is an enlargement of Commission Exhibit No. 2 which is the photograph of the alley in back of the Walker residence.

Photograph B on Shaneyfelt Exhibit No. 23 is an enlargement of a negative which has previously been designated as Commission Exhibit No. 752 that I personally exposed in the Duo Flex camera obtained from Oswald's possessions which has previously been designated as Commission Exhibit No. 750.

This examination was based on the shadowgraph of the picture area of the camera exposed on to the negative. This shadowgraph shows the imperfections and nicks, etc., along the edges of the picture area of the camera that are individual and distinctive to that particular camera, and would not be duplicated in any other camera.

Mr. REDLICH. Before you proceed to the specific points of reference, Mr. Shaneyfelt, in your prior testimony you advised the Commission, that Commission Exhibit No. 133-B, which is a photograph of Lee Harvey Oswald holding a rifle, but in a slightly different pose from Commission Exhibit No. 133-A; that

Commission Exhibit No. 133-B was taken by the camera which has been designated as Commission Exhibit No. 750.

You made that identification based on an examination of the negative from which Commission Exhibit No. 133-B was produced. At that time you indicated that you could not make such an identification of the source of Commission Exhibit No. 133-A because the negative had not been recovered.

I would like to ask you two questions: First, to the best of your knowledge has there been any recovery made of the negative from which Commission Exhibit No. 133-A was made?

Mr. SHANEYFELT. Not to my knowledge.

Mr. REDLICH. The second question is, why are you able to make an identification of the origin of Commission Exhibit No. 2 which is not a negative but a print, whereas you are unable to make an identification of Commission Exhibit No. 133-A which is also a print?

Mr. SHANEYFELT. Because the identification of the origin of the photograph or negative is based on the reproduction of the picture area of the camera or the opening in the back of the camera where the negative is exposed.

This appears as a shadowgraph on the negative, and is the basis for the identification. If a print is made from the negative that shows this shadowgraph, then the print can be used as a basis for the identification.

In the case of Commission Exhibit No. 2, which is a print of the alley in the back of the Walker residence, this shadowgraph appears around three of the edges of this photograph and, therefore, it has been used for such a comparison.

Commission Exhibit No. 133-A has been printed with a white border, and the shadowgraph portion of the negative has been blocked out and does not appear on Commission Exhibit No. 133-A. Therefore, it was not possible to associate it with any specific camera.

Mr. REDLICH. Will you proceed now to indicate the points of reference which enabled you to make the identification concerning Commission Exhibit No. 2?

Mr. SHANEYFELT. Yes.

In Shaneyfelt Exhibit No. 23, in photograph B, point No. 1 is near the lower left-hand corner of the picture, and shows a depression in the black edge and a little point sticking out from the black edge into the white area of the picture.

This is caused by an irregularity in the camera area where the film lies across the back portion of the camera. This characteristic, which is No. 1 on photograph B of Shaneyfelt Exhibit No. 23, appears in that same area which has been labeled No. 1 on photograph A of Shaneyfelt Exhibit No. 23.

It appears as a shallow depression and a little black point coming into the white area. Farther along the right-hand side of the picture centrally located between the top and the bottom, are points 2 and 3 in photographs A and B on Shaneyfelt Exhibit No. 23. These refer to two small notches in the black area where the white of the picture runs into the black line causing the appearance of two notches, one, the lower one, about twice the width of the upper one. This same characteristic is present in both photographs A and B.

Point No. 4 is an irregularity or a curve in the line on the right edge of the photograph in both A and B of Shaneyfelt Exhibit No. 23.

Point No. 5 is a long shallow depression in the black edge, of the photographs A and B.

This point is located centrally on the right-hand border, and has the same appearance in both of the photographs on Shaneyfelt Exhibit No. 23.

Point No. 6 is a little black point that comes out into the white area of the picture, and this, I found, in the lower right-hand corner of the photograph of the alley in back of the Walker house, which is photograph A on Exhibit No. 23, and is also present as point No. 6 in the photograph that I made from the camera which is photograph B of Shaneyfelt Exhibit No. 23.

Based on these characteristics, it is my opinion that the photograph, which is Commission Exhibit No. 2, is a print of a negative that was exposed in the Duo Flex camera which is Commission Exhibit No. 750.

Mr. REDLICH. Is the scientific method which you have used to make this identification sufficiently precise so that you are able to state that this negative was exposed in Commission Exhibit No. 750 to the exclusion of all other cameras?

Mr. SHANEYFELT. Yes.

Mr. REDLICH. Mr. Shaneyfelt, Commission Exhibit No. 150 is a shirt which has been described in testimony as the shirt worn by Lee Harvey Oswald at the time of his arrest on November 22, 1963.

The Commission has forwarded to the FBI two photographs which have been heretofore designated as Gerald L. Hill, Exhibit A, and Gerald L. Hill, Exhibit B, which have been identified by the photographer as having been taken under the marquee of the Texas Theater as Oswald was being removed from the theater on November 22.

Gerald L. Hill Exhibit A has been heretofore identified as having been taken at a point of time very close to the time that Gerald L. Hill Exhibit B was taken.

The Commission also forwarded to the FBI a photograph which has heretofore been designated as Yarborough Exhibit A which appeared in the Saturday Evening Post issue of December 14, 1963, page 26.

For purposes of identification, the photograph appearing in Yarborough Exhibit A has been designated as Commission Exhibit No. 1797, since Yarborough Exhibit A consists of the entire Saturday Evening Post article.

The Commission asked the Bureau to examine the three photographs, Commission Exhibit No. 1797, Gerald L. Hill Exhibit A, Gerald L. Hill Exhibit B, in order to determine whether the shirt worn by Lee Harvey Oswald in these photographs was in fact the same shirt which has heretofore been designated as Commission Exhibit No. 150.

Is that correct, Mr. Shaneyfelt? Did you perform the examination in connection with this request by the Commission?

Mr. SHANEYFELT. Yes; I did.

Mr. REDLICH. In connection with that examination, the FBI furnished to the Commission an additional photograph of Lee Harvey Oswald. Would you please describe that photograph in relation to any of the other photographs that we have furnished to the Bureau?

Mr. SHANEYFELT. Yes.

Mr. REDLICH. I would like to add that the photograph which the Bureau furnished to the Commission has been designated as Commission Exhibit No. 1796.

Mr. SHANEYFELT. Commission Exhibit No. 1796 was furnished to the FBI by the photographer who took the picture that has been designated as Commission Exhibit No. 1797. The photographer stated that the photograph, Commission Exhibit No. 1796, was taken seconds before the photograph which is Commission Exhibit No. 1797.

Mr. REDLICH. On the basis of the photographs in your possession, which you examined, would you please describe the nature of your investigation and the conclusions which you reached?

Mr. SHANEYFELT. Yes. I compared the shirt which is Commission Exhibit No. 150 with the shirt being worn by Oswald in Commission Exhibit No. 1796, and Commission Exhibit No. 1797.

(Shaneyfelt Exhibit No. 24 was marked and introduced.)

Mr. REDLICH. And in connection with that comparison, you prepared a chart which you have here today and which has been designated as Shaneyfelt Exhibit No. 24, is that correct?

Mr. SHANEYFELT. That is correct.

Shaneyfelt Exhibit No. 24 contains four photographs lettered A, B, C, and D.

Photograph A on Shaneyfelt Exhibit No. 24 is an enlargement of the shirt being worn by Oswald in Commission Exhibit No. 1796.

Photograph B is a photograph of the actual shirt, Commission Exhibit No. 150, being worn by an employee of the FBI laboratory. The photograph was made with the shirt in the same approximate position as the shirt being worn by Oswald in Commission Exhibit No. 1796.

Photograph C is an enlargement of the shirt being worn by Oswald in Commission Exhibit No. 1797.

And photograph D is a photograph made in the FBI laboratory of Commission Exhibit No. 150 being worn by a laboratory employee, and the photograph was made to show the shirt in the approximate position and contour of the shirt being worn by Oswald in Commission Exhibit No. 1797.

The comparison of the shirt being worn by Oswald in Commission's Exhibits Nos. 1796 and 1797, were made with the shirt itself, and it was found that

photograph A of Shaneyfelt Exhibit No. 24, shows at points that have been designated on this photograph A as 1, 2, 3, and 4, little bits of foreign deposits that are adhering to the shirt. These little specks of foreign material are present on the shirt now, and are shown in the photograph in the same relative positions or locations at points numbered 1, 2, 3, and 4 in photograph B of Shaneyfelt Exhibit No. 24.

In addition, it was found that in photograph A, points 5 and 6, that two of the buttons are missing. The second button down from the collar and the third button down from the collar are missing from the shirt in photograph A of Shaneyfelt Exhibit No. 24. These buttons are also missing from the shirt and the torn condition of the area where the button has been pulled away or removed has the same configuration in both photographs A and B at points 5 and 6.

Point 7 indicates that the button on the shirt being worn by Oswald in the photograph A of Shaneyfelt Exhibit No. 24, is the same type and color and configuration as the button in the photograph B at point 7.

Points 8 and 9 refer to areas of the shirt in photographs A and B, 8 being at the tip of the collar on the right side of the wearer, and 9 being the corner of the left pocket nearest to the buttons. These two points indicate the similarity in pattern at those specific locations and show that the pattern of the fabric in both shirts at those points is identical. Two shirts cut from the same fabric would not logically have an exact duplication of the pattern at cut or sewn edges of this type.

On photographs C and D on Shaneyfelt Exhibit No. 24 points 10, 11, and 12 again refer to the similarity in pattern along the edges of the shirt and would relate to the manner in which the material was cut from the original fabric.

Point 11, for instance, is two white lines of the same length in both photographs, and in the same location from the edge of the shirt. All of these points are of the same general type to show that the fabric design in a specific area close to an edge is identical.

Points 13 and 14 in photographs C and D of Shaneyfelt Exhibit No. 24 refer again to the torn areas where the buttons have been pulled from the shirt and show that they are similar in all their visible characteristics. Based on these points it is my opinion that the shirt being worn by Oswald in Commission Exhibits Nos. 1796 and 1797, is the same shirt as Commission Exhibit No. 150.

Mr. REDLICH. The record will show that Commission Exhibit No. 150 has a hole approximately 1 inch by 2 inches in the right elbow. Is this hole visible in any of these photographs, Mr. Shaneyfelt?

Mr. SHANEYFELT. No; it is not.

Mr. REDLICH. Referring to Shaneyfelt Exhibit No. 24, photograph D, does the right elbow of the shirt in this photograph appear to show a mark which might be a portion of that hole?

Mr. SHANEYFELT. Yes; it does.

Mr. REDLICH. In your opinion, is it a portion of that hole?

Mr. SHANEYFELT. Yes; it is, because this is a photograph that I made of this shirt and I know it to be the same shirt.

Mr. REDLICH. But why then does it not appear on photograph C which is the photograph of the shirt as it is being worn by Oswald?

Mr. SHANEYFELT. It doesn't show it in that photograph because the individual standing beside Oswald is blocking off that portion of the elbow and in fact has his thumb over Oswald's arm, you can see the thumb on the right arm where the officer is holding Oswald's arm.

Mr. REDLICH. The absence of the hole in the photographs designated as Shaneyfelt Exhibit No. 24 A and C and Commission Exhibits Nos. 1796 and 1797, does not in any way effect your identification of the shirt as being the same shirt which is Commission Exhibit No. 150?

Mr. SHANEYFELT. No; it does not.

Mr. REDLICH. During the course of its investigation, the Commission received a series of slides taken by a Mr. Willis. These slides show various pictures of the motorcade and have, in a deposition of Mr. Willis, been identified by him as having been taken on November 22, 1963. Have you examined these slides, Mr. Shaneyfelt?

Mr. SHANEYFELT. Yes; I have.

Mr. REDLICH. And of these slides, does any one appear to be a slide taken at the time of the actual shooting?

Mr. SHANEYFELT. Yes; in the vicinity of that period of time.

Mr. REDLICH. That slide has been processed by your laboratory and appears, does it not, in an exhibit which has been designated as Shaneyfelt Exhibit No. 25?

Mr. SHANEYFELT. That is correct.

(Shaneyfelt Exhibit No. 25 was marked and introduced.)

Mr. REDLICH. Are you able to identify that slide in terms of the number which it has been given in the Willis sequence of slides?

Mr. SHANEYFELT. Yes. This is the slide that Mr. Willis designated as No. 5.

Mr. REDLICH. The Commission asked you to examine this slide with reference to its background and with reference to other photographs which you have examined of the motorcade at the time of the assassination, in order to determine the relationship of this slide to the shots which were fired at that time. Did you personally conduct this examination?

Mr. SHANEYFELT. Yes; I did.

Mr. REDLICH. In connection with that you prepared the photograph and the diagram which have been designated as Shaneyfelt Exhibit No. 25?

Mr. SHANEYFELT. That is correct.

Mr. REDLICH. Are you able to describe for us now the results of your investigation?

Mr. SHANEYFELT. Yes. Photograph A of Shaneyfelt Exhibit No. 25 is an enlarged color print made from the No. 5 slide of the Willis slides.

The photograph B is a copy of the plat map of the assassination area which was prepared for the Commission and has previously been designated as Commission Exhibit No. 382.

Point No. 1 in photograph A shows Mr. Zapruder in his position——

Mr. REDLICH. The record will show that the reference to Mr. Zapruder is to Mr. Abraham Zapruder, who is an amateur photographer, who took the photographs which were used as the basis for the reenactment which was performed in Dallas by agents of the Federal Bureau of Investigation, and Secret Service, and attorneys for this Commission; is that correct, Mr. Shaneyfelt?

Mr. SHANEYFELT. That is correct.

Point 1 of photograph A shows Mr. Zapruder in his position from which he took his 8-millimeter motion picture film of the assassination. Point 1 in the plat map shows again the point indicating Mr. Zapruder's position as related to other portions of the area.

Point No. 2 is the President riding in the Presidential limousine, which is on photograph A of Shaneyfelt Exhibit No. 25.

Point No. 3 is the Stemmons Freeway sign that is on the north side of Elm Street in the general area of the assassination. This is also designated as point 3 on the map which is photograph B of Shaneyfelt Exhibit No. 25.

In order to relate the photograph A of Shaneyfelt Exhibit No. 25 to the specific frames in the Zapruder motion picture film, I first determined from correspondence, that Mr. Willis was standing along the south curb of Elm Street, approximately opposite the Texas School Book Depository Building.

By looking at the photograph A, I find that from the camera angle of Mr. Willis a line drawn from Mr. Willis to Mr. Zapruder would go just to the right of the Stemmons Freeway sign which is point 3 in photograph A.

I drew a line from Mr. Zapruder's position with lavender pencil just past the freeway sign which is position 3 on photograph B over to the general area of the side of Elm Street where Mr. Willis is reported to have taken his pictures.

Mr. REDLICH. And that line appears as the top line in Chart B of the Shaneyfelt Exhibit No. 25; does it not?

Mr. SHANEYFELT. That is correct. I then noted in the photograph A of Shaneyfelt Exhibit No. 25, that a line from the eye of the cameraman, to the President, would pass the Stemmons Freeway sign somewhat farther away from the sign than the line to Mr. Zapruder, approximately three to four times greater distance.

I drew a line from an area about that far from the sign to the area where Mr. Willis was reported to be standing and find that that line passes through

a point designated on the map as frame 210 which relates to the frame No. 210 of the Zapruder assassination films.

I then drew a green line from Mr. Zapruder's position to President Kennedy, at frame 210, and find that that green line passes directly through the Stemmons Freeway sign which is position 3 in photographs A and B on Shaneyfelt Exhibit No. 25.

Based on this, it is my opinion that photograph A of Shaneyfelt Exhibit No. 25 was taken in the vicinity of the time that frame 210 of the Zapruder picture was taken. This is not an accurate determination because the exact location of Mr. Willis is unknown. This would allow for some variation, but the time of the photograph A, as related to the Zapruder picture, would be generally during the period that the President was behind the signboard in the Zapruder films, which covers a range from around frame 205 to frame 225.

Mr. REDLICH. The record will show that prior investigation has revealed that President Kennedy emerges from the sign at frame 225, and that he starts going behind the sign at approximately frame 205.

Prior investigation has also revealed that when viewed from the southeast corner window of the sixth floor, the President emerges from the oak tree at approximately frame 210.

Mr. Willis has stated, Mr. Shaneyfelt, that he took this photograph almost at the instant that the President was hit by a shot which sounded to Mr. Willis as if it was the first shot that he heard.

On the basis of your examination of the Zapruder films, and your examination of the Willis photograph, would it be a correct statement that this photograph, the one appearing in Shaneyfelt Exhibit No. 25, was taken at approximately the same time as the shot which struck President Kennedy at the rear of the base of the neck?

Mr. SHANEYFELT. Yes; that would be a correct statement, to the best of our knowledge at this time.

Mr. REDLICH. Returning for just a moment to Mr. Willis' location, would it not have been possible for you to fix his exact location by reference to two different fixed points in the background at different points in this picture?

Mr. SHANEYFELT. Yes; it would be possible having Mr. Willis' camera, to fix his location with some degree of accuracy by using it at the specific location in Dallas, and relating various objects in the photograph to their location as they appear in photograph A of Exhibit No. 25.

Mr. REDLICH. You are reasonably satisfied, however, that the technique that you have used to fix his location is a reasonably accurate one upon which you can base the conclusions which you have stated today?

Mr. SHANEYFELT. Yes, yes. I feel that the exact establishing of the position of Mr. Willis would not add a great deal of additional accuracy to my present conclusions.

Mr. REDLICH. Mr. Shaneyfelt, during the course of the Commission's investigation we have had occasion to request the Bureau to investigate whether any bullets or fragments of bullets struck any of the street or curbing or other area around Dealey Plaza.

In connection with this investigation, the Commission asked the Bureau to investigate a photograph taken by Mr. James Underwood, a newsman for KRLD-TV in Dallas, and a photograph taken by Mr. Tom Dillard, a photographer for the Dallas Morning News. In connection with this request the Commission received a communication from the FBI dated July 17, 1964, which is now designated as Shaneyfelt Exhibit No. 26.

(The document referred to was marked Shaneyfelt Exhibit No. 26 and introduced.)

Mr. REDLICH. Would you briefly summarize the results of that investigation as of that time, Mr. Shaneyfelt?

Mr. SHANEYFELT. Yes. The Commission requested that we conduct an investigation relative to reports that there was a mark or a nick on the south curb of Main Street in the assassination area, and that we attempt to locate it and make whatever tests could be made to determine whether or not a bullet could have struck the curb at that point. The investigation was initiated by

requesting our Dallas office to contact the photographers, James Underwood of KRLD-TV in Dallas, and Mr. Tom Dillard, a photographer for the Dallas Morning News, and to use the photographs previously made by these two photographers to attempt to locate this mark or nick on the curb on the south side of Main Street. Shaneyfelt Exhibit No. 26 is a report of the results of that initial search which resulted in failure to find the exact location of this mark or nick on the curb along the south side of Main Street at the assassination site.

Mr. REDLICH. Following this letter, you yourself went down to Dallas in order to pursue this matter further, is that correct?

Mr. SHANEYFELT. That is correct.

(The document referred to was marked Shaneyfelt Exhibit No. 27 and introduced.)

Mr. REDLICH. I introduce into the record at this time Shaneyfelt Exhibit No. 27, which is a letter from Director Hoover to Mr. Rankin summarizing the results of this investigation.

Mr. REDLICH. I also introduce into the record Shaneyfelt Exhibits Nos. 28, 29, 30, 31, 32, and 33.

With reference to these exhibits, Mr. Shaneyfelt, I ask you to summarize at this time the results of your investigation into the existence of a mark on the curb, and if such a mark was found to exist, its location with reference to other photographs of which you have knowledge.

Mr. SHANEYFELT. Yes.

Using photographs made by Mr. Underwood and Mr. Dillard in November 1963, either the 22d or 23d, of this mark on the curb, I went to Dallas and was successful in locating a mark. Shaneyfelt Exhibit No. 29 contains the photographs used to locate the mark on the curbing on the south side of Main Street at the assassination site.

Photograph No. 1 of this exhibit is the photograph of the mark made by Mr. Underwood, the red arrow indicating the mark on the curb.

Photograph No. 2 is the photograph made by Mr. Dillard of the mark on the curb, and the red arrow again designates the mark.

Photograph No. 3 of Shaneyfelt Exhibit No. 29 is a photograph that was made by Mr. Underwood by placing his camera on the mark and pointing it toward the Texas School Book Depository Building, and he stated he did this so that the resulting photograph could be used to relocate this mark on the curb should it ever be necessary.

Mr. REDLICH. I gather that without that photograph taken by Mr. Underwood it would have been extremely difficult, if not impossible, to have located this mark, is that correct?

Mr. SHANEYFELT. It would have been more difficult. Mr. Dillard's photograph actually contained some background that was of value, and we would have found it without this, but this made it much easier. Photograph No. 3, which was made by Mr. Underwood, allowed us to go immediately within a foot to a foot and a half of, the actual mark.

Mr. REDLICH. Continue.

Mr. SHANEYFELT. The photograph which has been marked as Shaneyfelt Exhibit No. 28, is the photograph that I made after having located the mark, this in effect duplicates the photograph made by Mr. Underwood, which is photograph 3 of Shaneyfelt Exhibit No. 29 and, as can readily be seen in comparing these two photographs, the relationship of the lightpole to the buildings on either side of it on the right side of the photograph, the relationship of the sign to the concrete abutment in the back of it to the right edge of it, the relationship of the lightposts between the cameraman and the Texas School Book Depository building, and their relationship to the building in back of them, show that they are entirely consistent, and that the mark that was located is, in fact, the mark that was photographed by Mr. Underwood and Mr. Dillard.

Photograph No. 30, or Shaneyfelt Exhibit No. 30, is a photograph approximately duplicating the photograph made by Mr. Dillard which is Shaneyfelt Exhibit No. 29, Photograph No. 2. I, with a pencil, made a circle around the mark on the curb, and this pencil mark shows in Shaneyfelt Exhibit No. 30.

Shaneyfelt Exhibit No. 31 is a photograph taken from in front of the school book depository building looking down toward the Triple Underpass, showing in the center area of the picture two men in white shirts standing along the south curb of Main Street at the point where the mark on the curb was found.

Shaneyfelt Exhibit No. 32 is a photograph made from under the Triple Underpass looking past the point where the mark on the curb was located towards the Texas School Book Depository Building, which relates this area to the rest of the assassination site.

There is a marker that has been set up on the curb with an arrow pointing down, that is directly over the area where the mark is located on the south curb of Main Street.

The photograph, Shaneyfelt Exhibit No. 33, is a photograph made from the location of Mr. Abraham Zapruder who made motion pictures of the assassination on November 22, and this photograph was made having a man who can be seen standing in the center of the picture, placed in the center of Elm Street, along a straight line between the mark on the curb and the assassination window in the Texas School Book Depository Building, the sixth floor.

The man is standing in that direct straight line between the assassination window and the mark on the curb, and the photograph then shows where the President in the Presidential limousine, would have been on Elm Street as related to the Zapruder films if a bullet going from the sixth floor window to the mark on the curb went directly over the President's head.

Mr. REDLICH. Are you able to tell us the frame in Zapruder's sequence which would correspond to the position of the man standing on Elm Street in Shaneyfelt Exhibit No. 33?

Mr. SHANEYFELT. Yes; this would correspond to frame No. 410 in the Zapruder films. Of course, this, as stated, is based on the assumption that a bullet going from the window to the mark on the curbing went directly over the President's head. It would have occurred at approximately frame 410.

In relating this to other previously determined facts regarding the Zapruder films, this would be 97 frames after the frame 313, which is the frame of the Zapruder films that shows the shot that struck the President in the head. At 18.3 frames per second, this 97 frames would represent a lapse of time of 5.3 seconds between the shot to the President's head at frame 313, and any shot that would have occurred at frame 410, if such did occur.

Mr. REDLICH. Now, with further reference to the relationship of this location to the Zapruder films, the Commission previously requested that the Bureau, advise us as to when Special Agent Hill of the Secret Service reached the Presidential car. Can you tell us now the results of that investigation?

Mr. SHANEYFELT. Yes; I examined the Zapruder film and determined that Agent Hill first places his hand on the Presidential car at frame 343. This is approximately 1.6 seconds after the President is hit in the head at frame 313.

Special Agent Hill placed one foot on the bumper of the car at frame 368, which is approximately 3 seconds after frame 313. Agent Hill had both feet on the car at frame 381, which is approximately 3.7 seconds after frame 313.

Mr. REDLICH. Going back now to frame 410 on the Zapruder film, which is the frame that would correspond to the location of a man appearing on Elm Street in Shaneyfelt Exhibit No. 33, can you tell us the location of Special Agent Hill and Mrs. Kennedy at frame 410?

Mr. SHANEYFELT. At frame 410 in the Zapruder films, Mrs. Kennedy has returned to the seat beside the President after having climbed out on the back deck or the trunk lid, and Secret Service Agent Hill is in the process of climbing from the bumper into the back seat of the car and is about midway from the back bumper to the President, crawling across the trunk lid.

Mr. REDLICH. Is it correct to say, Mr. Shaneyfelt, that at frame 410 the principal target on the back of the Presidential limousine would have been Special Agent Hill and not any of the other occupants of the rear seat of the car?

Mr. SHANEYFELT. I do not have an opinion on that, except my recollection of the frame, as I recall it, the Connallys are down in the car, and the President is down in the car to a point where he may not be visible from the sixth floor

window. Mrs. Kennedy would still be visible, and Agent Hill; Mrs. Kennedy and Agent Hill, as I recall, are the only ones readily visible or that are visible.

Mr. REDLICH. Turning now, Mr. Shaneyfelt, to the curb mark itself; you have brought with you today the actual piece of curbing which contains the mark referred to in your testimony; is that correct?

Mr. SHANEYFELT. That is correct.

Mr. REDLICH. That piece of curbing has been designated as Shaneyfelt Exhibit No. 34.

(The article referred to was marked Shaneyfelt Exhibit No. 34.)

Mr. REDLICH. Were you present at the time this curbing was removed?

Mr. SHANEYFELT. Yes; it was removed under my supervision.

Mr. REDLICH. Can you then describe the subsequent investigation that was conducted in connection with this curbing?

Mr. SHANEYFELT. Yes; the section of curbing, Shaneyfelt Exhibit No. 34, was cut out from the curbing along the south side of Main Street in the assassination area. The mark on the curb having been located 23 feet, 4 inches from the abutment of the triple underpass. It was cut out under my supervision, and I personally returned it to the FBI laboratory. In the FBI laboratory it was examined for the presence of any foreign material.

Mr. REDLICH. For the record, the results of this investigation have been summarized in a communication from Director Hoover to Mr. Rankin, dated August 12, 1964, and designated now as the Shaneyfelt Exhibit No. 27; is that correct, Mr. Shaneyfelt?

The absence of copper precludes the possibility that the mark on the curbing in the laboratory resulted in the finding of foreign metal smears adhering to the curbing section within the area of the mark. These metal smears were spectrographically determined to be essentially lead with a trace of antimony. No copper was found.

The lead could have originated from the lead core of a mutilated metal-jacketed bullet such as the type of bullet loaded into the 6.5-millimeter Mannlicher Carcano cartridges, or from some other source having the same composition.

The absence of copper precludes the possibility that the mark on the curbing section was made by an un mutilated military full metal-jacketed bullet such as the bullet from Governor Connally's stretcher.

The damage to the curbing would have been much more extensive if a rifle bullet had struck the curbing without first having struck some other object. Therefore, this mark could not have been made by the first impact of a high velocity rifle bullet.

Mr. REDLICH. Based on your examination of the mark on the curb, can you tell us whether the mark which we have been referring to is a nick on the curb, that is, has a piece of the curb been chipped away, or is it instead a simple marking of lead?

Mr. SHANEYFELT. Yes; it is not a chip. There is no indication of any of the curbing having been removed, but rather it is a deposit of lead on the surface of the curbing that has given the appearance of a mark.

It was also established from a microscopic study of the curbing that the lead object that struck the curbing that caused the mark, was moving in a general direction away from the Texas School Book Depository Building.

Mr. REDLICH. In connection with this investigation into the microscopic characteristics of the mark, a photograph was prepared which is designated as Shaneyfelt Exhibit No. 35. Will you describe that photograph?

(The photograph referred to was marked Shaneyfelt Exhibit No. 35.)

Mr. SHANEYFELT. Yes; Shaneyfelt Exhibit No. 35 is a color photograph that I made of the mark on the curbing, which is Shaneyfelt Exhibit No. 34. This is magnified about five times, and shows only the marked area. There is a red area in the lower left corner marked A which designates the point of initial impact, and the lead deposit is then sprayed out in a fanlike direction from that arrow.

Mr. REDLICH. Does point A in Shaneyfelt Exhibit No. 35 refer to or correspond to the portion of the marking which is visible in Shaneyfelt Exhibit No. 34?

Mr. SHANEYFELT. It refers to the lower right-hand portion of that mark on Shaneyfelt Exhibit No. 34. It is this area here, and this area here [indicating].

Mr. REDLICH. Was Shaneyfelt Exhibit No. 35 the photograph on the basis of which the direction of the bullet fragment was determined?

Mr. SHANEYFELT. No; the direction was determined from an actual examination of the curbing itself rather than from the photograph. Shaneyfelt Exhibit No. 35, was made primarily to show this lead deposit more clearly than Exhibit 34 shows it.

Mr. REDLICH. I realize, Mr. Shaneyfelt, that the next question may be out of your area of specialization, and you may not be able to answer it. But are you able to tell us whether, if there had been copper deposits indicating a fully jacketed bullet, whether in the intervening period of time between the assassination and the time the curbstone was examined these copper deposits might have been removed by rain or erosion or any other natural causes?

Mr. SHANEYFELT. It is my understanding that there is no more reason for the copper to be removed than the lead to be removed, and it is my observation of the mark itself, the lead deposits, that the effect of time on it was to add a layer of dirt and film over it which covered it—more an adding on of dirt and other matter which covered it rather than a wearing away.

So, based on this, although it is not possible to state whether or not copper was there initially and eroded away or washed away or wore away, it seems logical that copper would have no more reason to become worn away than lead.

Mr. REDLICH. Previous investigation, Mr. Shaneyfelt, as well as the results of the reenactment in Dallas, have led, as you know, to a tentative conclusion that if three shots were fired during the assassination sequence, that one of these three shots missed the occupants of the car.

Assuming that tentative conclusion to be a definite finding of fact for purposes of this question, are you able to tell us whether in your opinion, the location, the presence, of the lead marking on the curb, which has been designated as Shaneyfelt Exhibit No. 34, provides any basis for determining which of the three shots fired by the assassin missed the Presidential limousine?

Mr. SHANEYFELT. Based on the assumptions as stated, it is my opinion that the examination of the mark on the curb has furnished only limited further information in this regard because it is not possible to establish whether or not this mark on the curb could have been made from a fragment of the shot that hit the President in the head or a fragment of another shot that missed. The very fact that it can be considered as one of the possibilities suggests a possibility of a third shot that missed.

Mr. REDLICH. How far from the President's position at frame 313 was the mark on the curb?

Mr. SHANEYFELT. I don't have that figure here at the present time. To the best of my recollection, it was approximately 260 feet from where the President would have been at frame 313 to the mark on the south side of Main Street which has been designated as Shaneyfelt Exhibit No. 34.

Mr. REDLICH. I would like to designate at this time a number, Shaneyfelt Exhibit No. 36, which we will apply to a communication which I asked you to furnish to the Commission giving us the exact distance between the President's location at frame 313 and the mark on the curb, Shaneyfelt Exhibit No. 34.

Mr. SHANEYFELT. All right.

(The article referred to was marked Shaneyfelt Exhibit No. 36 for identification.)

Mr. REDLICH. Have you completed your answer to my question with regard to whether this information offers any basis upon which one can conclude which of the three shots missed?

Mr. SHANEYFELT. Yes; I believe I have. I have very little opinion regarding that.

Mr. REDLICH. Mr. Shaneyfelt, prior to our deposition you and I discussed the matters concerning which you were going to testify, and during the course of this deposition there were a few conversations which were not transcribed, is that correct?

Mr. SHANEYFELT. That is correct.

Mr. REDLICH. Is all of your testimony which has been transcribed completely consistent with any information which you have provided in the off-the-record conversations?

Mr. SHANEYFELT. Yes.

Mr. REDLICH. Is there any relevant material which you provided in any off-the-record conversations which has not been covered in the course of our record deposition?

Mr. SHANEYFELT. No.

Mr. REDLICH. Is there anything concerning the matters to which you testified that you would like to add at the present time?

Mr. SHANEYFELT. No; I believe not.

Mr. REDLICH. A copy of this deposition will be available for your review.

AFFIDAVIT OF PAUL MORGAN STOMBAUGH

The following affidavit was executed by Paul Morgan Stombaugh on September 4, 1964.

PRESIDENT'S COMMISSION
ON THE ASSASSINATION OF
PRESIDENT JOHN F. KENNEDY

AFFIDAVIT

DISTRICT OF COLUMBIA, ss:

Paul Morgan Stombaugh, being duly sworn, deposes and says:

1. This affidavit is made at the request of the President's Commission on the Assassination of President Kennedy, for the purpose of supplementing the testimony I gave before the Commission concerning certain hairs and fibers I examined.

2. The principal characteristics of cotton fibers used for comparison purposes are color and shade; and degree of twist. Of these, color and shade are by far the most significant. The principal characteristics of viscose used for comparison purposes are color and shade, diameter, and size and distribution of delustering agent.

3. The orange-yellow and grey-black cotton fibers in the shirt, Commission Exhibit 150, were respectively of uniform shades; the dark blue cotton fibers in the shirt were of three different shades. All the fibers in the shirt were mercerized, and of a substantially uniform twist.

4. The green cotton fibers found in the paper bag, Commission Exhibit 142, varied in shade, but were of a uniform twist. The brown viscose fibers in the blanket, Commission Exhibit 140, varied in diameter, shade, size, and distribution of delustering agent.

5. Stombaugh Exhibits 1-6 consist of the following items:

(a) Stombaugh Exhibit 1 consists of the hairs I found on the blanket, Commission Exhibit 140.

(b) Stombaugh Exhibit 2 consists of the known sample of Lee Harvey Oswald's hairs sent to me by the Dallas Office of the FBI.

(c) Stombaugh Exhibit 3 consists of the fibers I found in the paper bag, Commission Exhibit 142.

(d) Stombaugh Exhibit 4 consists of a sample of fibers from the blanket, Commission Exhibit 140.

(e) Stombaugh Exhibit 5 consists of the fibers I found on the rifle, Commission Exhibit 139.

(f) Stombaugh Exhibit 6 consists of a sample of fibers from the shirt, Commission Exhibit 150.

Signed this 4th day of September, 1964.

(S) Paul Morgan Stombaugh,
PAUL MORGAN STOMBAUGH.

AFFIDAVIT OF L. J. LEWIS

The following affidavit was executed by L. J. Lewis on August 26, 1964.

PRESIDENT'S COMMISSION
ON THE ASSASSINATION OF
PRESIDENT JOHN F. KENNEDY

AFFIDAVIT

I, L. J. Lewis, being duly sworn, depose as follows :

I do not at the present time have a permanent residence but can be contacted at my present place of employment, Kemp's Garage, 634 West Davis, Dallas, Texas. On January 21, 1964, I was residing at 7616 Hume, Pleasant Grove, Texas, and was then self-employed as a wholesale car dealer.

On January 21, 1964, I was interviewed by Special Agents John T. Kesler and Vernon Mitchem of the Federal Bureau of Investigation concerning what I had seen on November 22, 1963, as it related to Lee Harvey Oswald, the shooting of Dallas Police Officer, J. D. Tippit, and the assassination of President John Fitzgerald Kennedy.

I have been shown the written report* of the results of this interview of January 21, 1964, by Special Agents John T. Kesler and Vernon Mitchem of the Federal Bureau of Investigation. While this report is substantially correct, I wish at this time to make the following clarifications in regard to the last sentence in paragraph one and the entirety of paragraph two.

"Upon hearing the shots and recognizing them as gunshot sounds, I immediately called the Dallas Police Department to report a shooting. There was so much confusion at the Police Department end of the telephone conversation, they were having trouble making out what I was telling them. A few minutes later, I observed a white male, approximately thirty years of age, running south on Patton Avenue, carrying either an automatic pistol or a revolver in his hand, and while running was either attempting to reload same or attempting to conceal the weapon in his belt.

"Upon reaching the intersection of Patton Avenue and Jefferson Boulevard, the individual then proceeded west on Jefferson Boulevard."

I have read this written report and with the exception of the aforementioned clarifications, it reveals a correct report of what I saw on November 22, 1963.

Signed this 26th day of August 1964.

(S) L. J. Lewis,
L. J. LEWIS.

TESTIMONY OF ALWYN COLE

The testimony of Alwyn Cole was taken at 3:26 p.m., on September 4, 1964, at 200 Maryland Avenue NE., Washington, D.C., by Mr. Melvin Aron Eisenberg, assistant counsel of the President's Commission.

Mr. EISENBERG. Mr. Cole, you have given testimony to the Commission at a previous time, and this is a continuation of that testimony. So you will still be under oath from the previous session.

Mr. COLE. I understand.

Mr. EISENBERG. Could you state your full name and position once more?

Mr. COLE. Alwyn Cole, examiner of questioned documents, U.S. Treasury Department.

Mr. EISENBERG. Now, Mr. Cole, I will hand you for your examination the following exhibits: Commission Exhibit No. 795, which is a Selective Service System notice of classification in the name of Alek James Hidell; Commission Exhibit No. 806, which is a certificate of service in the U.S. Marine Corps, in the name of Alek James Hidell; Commission Exhibit No. 801, which is a Selective Service System notice of classification in the name of Lee Harvey Oswald; Com-

*This report was labeled L. J. Lewis Exhibit A.

mission Exhibit No. 802, which is a Selective Service System registration certificate in the name of Lee Harvey Oswald; Commission Exhibit No. 811, which is a retouched negative of a registration certificate; Commission Exhibit No. 812, which consists of two retouched negatives of a certificate of service in the U.S. Marine Corps; Commission Exhibit No. 803, which consists of a retouched negative of the face of a Selective Service System notice of classification; Commission Exhibit No. 804, which consists of a retouched negative of the face of a Selective Service System notice of classification; Commission Exhibit No. 805, which consists of a retouched negative of a portion of the face of a Selective Service System notice of classification; and a certificate of service in the U.S. Marine Corps in the name of Lee Harvey Oswald, which I am labeling Cole Exhibit No. 1.

(Cole Exhibit No. 1 was marked for identification.)

I ask you whether these are the items you have considered in connection with your previous testimony?

Mr. COLE. Yes, sir.

Mr. EISENBERG. Now, beginning with Exhibit No. 795, which is—at least as to its face—a Selective Service System notice of classification in the name of Alek James Hidell, can you tell us whether the face of this Exhibit was produced from the negatives 803, 804, and 805?

Mr. COLE. Yes, sir. Exhibit No. 795 is in fact a photographic print from the negative, Exhibit No. 804, as to the face. Prior to that photographic negative, however, other negatives were made, the first one being the negative 803, and then another negative involved in the production of Exhibit No. 795 is 805, which gives that part of the text of the card beginning "The law requires" and ending "for advice see your Government appeal agent."

In other words, the negatives just described finally culminated in the production of the photographic print, Exhibit No. 795.

Mr. EISENBERG. Now, Mr. Cole, have you yourself made prints of these negatives, 803, 804, and 805?

Mr. COLE. Yes, sir; I have.

Mr. EISENBERG. That is by transmitted light, the normal way of printing a negative?

Mr. COLE. I have made them in that manner; yes, sir.

Mr. EISENBERG. Now, I now hand you Cole Exhibits Nos. 2, 3, and 4, and I ask you whether those are the prints you have made from Commission Exhibits Nos. 803, 804, and 805?

(Cole Exhibits Nos. 2, 3, and 4 were marked for identification.)

Mr. COLE. Yes, sir. Cole Exhibit No. 2 is a photographic print from negative 805. Cole Exhibit No. 3 is a photographic print from negative 804. Cole Exhibit No. 4 is a photographic print from negative 803.

Mr. EISENBERG. Have you also made photographs of these negatives by reflected light, Mr. Cole?

Mr. COLE. Yes, sir.

Mr. EISENBERG. I now hand you Cole Exhibits Nos. 5 and 6 and ask you whether the photographs on these Exhibits labeled 803, 804, and 805 are the photographs of the negatives which you made by reflected light.

(Cole Exhibits Nos. 5 and 6 were marked for identification.)

Mr. COLE. Yes, sir. These prints are from photographic negatives made by reflected light, and I should point out that the prints are enlarged somewhat over the original size of the negatives, about 1.25 diameters.

Mr. EISENBERG. And what is the difference between Cole Exhibit No. 5 and Cole Exhibit No. 6?

Mr. COLE. Cole Exhibit No. 6 shows that side of the negatives to which the opaquing medium or retouching medium was applied, whereas Cole Exhibit No. 5 shows the opposite side of the negative.

Mr. EISENBERG. Now, Mr. Cole, did you attempt to determine whether the negatives, 803, 804, and 805, had been made from the Selective Service notice in the name Oswald, which is Commission Exhibit No. 801—that is, from the face of that card?

Mr. COLE. Yes, sir; I did.

Mr. EISENBERG. And what was your conclusion?

Mr. COLE. It is my conclusion that the negatives 803, 804, and 805, were in fact made from Exhibit No. 801.

Mr. EISENBERG. Now, how were you able to link up the negatives 803, 804, and 805, and the Oswald notice, Exhibit No. 801?

Mr. COLE. That was done chiefly by a close study of the typewritten material following the line—I am now referring to Exhibit No. 801—following the line "Selective Service Number," in which there are four small rectangles showing the insertion of typewritten numbers, and by study of the signature of the member or clerk of local board where it intersects printed matter of the original form. The typewritten matter and the inked lines of the signature have been the subject of opaquing or retouching. With respect to the typewriting of the Selective Service number, the original typewriting fell exactly on the base line of the ruled rectangles of the original printed card. This created a rather difficult problem about opaquing out the typewritten matter. The opaquing material was brought very close to the ruled line, but some of that line was permitted to remain unretouched. Since this line had in effect been reinforced by the base of the typewritten material, the line appears somewhat heavier. This heaviness comes through on the final photographic print which is Exhibit No. 795.

Now, by this strange heaviness, I am referring to the lower border of the four rectangles which follow the wording "Selective Service Number."

Now, with respect to intersections of the signature of member or clerk of local board, this also presented quite a problem of retouching; that is, in an effort to remove the signature or opaque it from the negative 803, it was necessary to retouch or deform certain parts of the original printing as represented by that negative, one word being the word "President" at about the center of the right side of the card. The letter "r" has been mutilated by the opaquing material and this mutilation comes through on the final print, which is Exhibit No. 795.

Also where an effort was made to opaque the lower extension of the two letters "f" of the signature previously referred to, which intersects the word "violation," here also there was a mutilation of certain letters of that word, namely, the "v" and "i" and the "a."

This mutilation also comes through on the final print, Exhibit No. 795. So that there is a clear record from the original card, Exhibit No. 801, through to the negatives, exhibits 803, 804, and 805, and then to the final print, Exhibit No. 795.

Mr. EISENBERG. Now, Mr. Cole, did you attempt to determine whether the negative 811 was a negative of the reverse side of the registration certificate in the name of Oswald, Commission Exhibit No. 802?

Mr. COLE. Yes, sir. I did make such a determination.

Mr. EISENBERG. And what was your conclusion?

Mr. COLE. That the negative, Exhibit No. 811, is in fact a photographic reproduction made from the original card, Exhibit No. 802. That is referring to the reverse of this card.

Mr. EISENBERG. Now, did you also make a print from that negative, Mr. Cole?

Mr. COLE. Yes, sir; I did.

Mr. EISENBERG. And is that print Cole Exhibit No. 7, which I now hand you? (Cole Exhibit No. 7 was marked for identification.)

Mr. COLE. Yes, sir; it is.

Mr. EISENBERG. And are the sections of Cole Exhibits Nos. 5 and 6 which are labeled 811, photographs taken of that negative by reflected light?

Mr. COLE. Yes, sir.

Mr. EISENBERG. Now, did you attempt to determine, Mr. Cole, whether the negative 811 had been used to make the reverse side of the Notice of Classification in the name of Hidell?

Mr. COLE. Yes, sir; I did make such a determination.

Mr. EISENBERG. What was your conclusion?

Mr. COLE. It is my conclusion that the negative 811 was actually used to make the photographic reproduction, that is, a photographic print, which is the reverse of Exhibit No. 795.

Mr. EISENBERG. Now, can you tell us how you were able to link up the

Oswald registration certificate, the negative 811, and the reverse side of the Hidell notice of classification?

Mr. COLE. Yes, sir. Returning to Commission Exhibit 802, the reverse side shows the original insertion of certain descriptive words, color of eyes, blue, complexion, medium, weight, 150, height, 5'11". Now, with particular regard to the word "blue"—excuse me. I believe I didn't mention the abbreviation, Brn, or color of hair. And referring to that abbreviation, and the insertion of the typewritten word "blue," the insertion of the figure 150 for weight, it is observed that each of these intersect the dotted lines provided on the original printing of this card.

Now, here also an effort was made to opaque out the typewritten material just mentioned. Since the typewritten material intersects these ruled dotted lines, the opaquing material was brought very close to the lines and in some cases caused small imperfections of the dots. Now, these imperfections are present on the photographic print, Exhibit No. 795, that is referring to the reverse of that exhibit, in exactly the same position that they appear on the opaqued negative 811. And from that I concluded that this very negative was used to produce the photographic print which forms the reverse of Exhibit No. 795.

Mr. EISENBERG. Now, did you attempt to determine, Mr. Cole, whether the two negatives, Commission Exhibit No. 812, have been produced from the certificate of service in the name of Oswald which is Cole Exhibit No. 1?

Mr. COLE. Yes, sir; I did.

Mr. EISENBERG. And what was your conclusion?

Mr. COLE. It is my conclusion that the two negatives, Commission Exhibit No. 812, actually reproduce the card, Cole Exhibit No. 1.

Mr. EISENBERG. Did you make prints of these negatives?

Mr. COLE. I did.

Mr. EISENBERG. And are those prints Cole Exhibits Nos. 8 and 9, which I now hand you?

(Cole Exhibits Nos. 8 and 9 were marked for identification.)

Mr. COLE. Yes, sir; they are.

Mr. EISENBERG. And do the sections of Cole Exhibits Nos. 5 and 6 labeled 812 represent photographs of the negatives in 812 taken by reflected light?

Mr. COLE. Yes, sir; they do.

Mr. EISENBERG. Did you attempt to determine, Mr. Cole, whether Commission Exhibit No. 806, the certificate of service in the name of Hidell, had been produced from the negatives in 812?

Mr. COLE. Yes, sir.

Mr. EISENBERG. And what was your conclusion?

Mr. COLE. It is my conclusion that Exhibit No. 806 was in fact prepared from or represents a photographic print made from the negatives, Commission Exhibit No. 812.

Mr. EISENBERG. Could you tell us how you were able to link up Cole Exhibit No. 1, the negatives in 812, and Commission Exhibit No. 806?

Mr. COLE. With respect to Cole Exhibit No. 1, as compared with the negative, Exhibit No. 812, that one representing the face of the document, it is observed that the opaquing medium which was used to block out the name Lee Harvey Oswald and the number 1653230 still makes it possible to read that name and number from the face of the negative, and it is observed that this typewritten material has precisely the same relationship on the negative as observed on the card, Cole Exhibit No. 1. Now there are no intersections of the opaquing with the original printed material of the card, Cole Exhibit No. 1. However, this negative gives an exact reproduction of all of the printed material on the card, including the form number which is DD Form 217 MC 1 January 1951. Now, this amount of connection, of course, is not as conclusive as one where an imperfection resulting in the application of an opaquing medium is observable, but yet as far as a comparison can be made, there is a perfect agreement and there are no differences.

Now, with respect to the reverse side of Cole Exhibit No. 1, it is observed that the original signature, Lee Harvey Oswald, intersected a part of the printing of the word "signature" just above that signature mentioned. The

intersection affects chiefly the left side of the letter "u" of the word "signature." In other words, a part of the opaquing medium affected that particular letter and this imperfection is also shown in the final photographic print which is the reverse of Commission's Exhibit No. 806.

Mr. EISENBERG. Now, I hand you Commission Exhibit No. 810, Mr. Cole. Is this a side-light photograph you took of the reverse side of Hidell certificate of service, that is, Commission Exhibit No. 806.

Mr. COLE. Yes; it is.

Mr. EISENBERG. Did you find any traces of a signature or letters in the box for signature of individual?

Mr. COLE. I did find some indentations in that area.

Mr. EISENBERG. Could you describe to us what you believe those indentations might represent?

Mr. COLE. Yes, sir; just below the printed word "of" in the line "signature of individual," there are two vertical indentations which fill about three-fourths of the space available, and there is a diagonal mark slanting from the base of the left vertical to about the midpoint of the right vertical, the total effect being of a printed letter "H," capital "H." I also observe just below the second "i" of the printed word "individual" a vertical indentation and just below the third "i" of the word "individual" another vertical indentation. These could be the vertical parts of "d's" or "l's." However, with respect to mention of the letter "d," I do not observe any corresponding oval or circular part of that letter which would be required for a printed form.

Mr. EISENBERG. You mean a hand-printed form?

Mr. COLE. Yes.

Mr. EISENBERG. Are those indentations visible to the naked eye on the card itself?

Mr. COLE. Yes, they are, if the card is held in a special way so that the light strikes the card at an angle.

Mr. EISENBERG. How do you think those indentations might have been caused, Mr. Cole?

Mr. COLE. They could have been made by any sharp instrument, for example, by a ballpoint pen which was not delivering ink at this particular time, or by a stylus-like instrument such as those that are used in preparing mimeograph forms, or even by a toothpick.

Mr. EISENBERG. Now, returning for a moment to the face of Commission Exhibit No. 795, in your previous testimony, as I recall it, you stated that while you could not make out precisely the signature of the member or clerk of local board, it appeared to be the name Good Hoffer, is that correct?

Mr. COLE. That is correct.

Mr. EISENBERG. Now, did that appear to be one word or two words?

Mr. COLE. It appears to me to be two words or two names, capital G-o-o-d, and then the name capital H-o-f-f-e-r.

Mr. EISENBERG. Now how did that compare to the signature of the member or clerk of local board on Commission Exhibit No. 801, the Oswald notice of classification?

Mr. COLE. Well, it is not the same name but it has some parts which correspond, namely, the letter "f." That is, there are obviously two hand-written letters "f" in the last name of member or clerk of local board on Exhibit No. 801, and we also have a representation of hand-written letters "f" in about the same position on Commission Exhibit No. 795.

Mr. EISENBERG. Off the record.

(Discussion off the record.)

Mr. EISENBERG. On the record. Do you have any further observations on the comparison of the two names on the two cards, Mr. Cole?

Mr. COLE. Yes; I would say that a possible interpretation of the name on the original card, Exhibit No. 801, would be that it begins with either a capital "E" or a capital "G." There is a very small circular form following that which does not appear to form any intelligible name when linked with the first capital letter. However, the last name suggests to me that it might be the name Schiffen, S-c-h-i-f-f-e-n.

Now, I consider it quite possible that a person looking at this name, which

does not have a good legibility, might interpret it to be the name which is finally written on the line for signature of member or clerk of local board as it shows on Commission Exhibit No. 795. Now, as to why a name might be removed by opaquing material and then written in in a similar form by pen and ink, it is my view that this might be done in order to have what would appear to be an original, personally written signature on the final card, Exhibit No. 795, instead of having a photographic reproduction of a signature.

Mr. EISENBERG. Why do you think a person might write back in the same name that he had taken out, rather than a different name?

Mr. COLE. As I say, in order to have on the final card an actual manually written signature with pen and ink which would, one might suppose, carry more validating effect than a photographic reproduction of a signature.

Mr. EISENBERG. So that he would not necessarily be interested in changing the name?

Mr. COLE. Not necessarily.

Mr. EISENBERG. Now, on the reverse side of the notice of classification, Exhibit No. 795, there is typed in semilegible form the name and address of the local board which issued the registration certificate, and this seems to correspond to the name and address which had been opaqued out of the Oswald registration certificate, Commission Exhibit No. 802. Is that your observation?

Off the record, please.

(Discussion off the record.)

Mr. EISENBERG. On the record. Now, I now hand you, in order to help you make this judgment, Commission Exhibit No. 799, which is a side light photograph—introduced in connection with your earlier testimony—of the reverse side of Exhibit No. 795, and I wonder whether, with the aid of that side light photograph, you could compare the entry in the space for local board on Commission Exhibit No. 802, as opposed to the entry in the corresponding space on the reverse side of Commission Exhibit No. 795.

Mr. COLE. The typewritten information inserted on the reverse side of Commission Exhibit No. 795 is virtually the same as the printed information which appears on the reverse of Commission Exhibit 802, with just some slight differences. On Commission Exhibit No. 795, and as now being read from the side light photograph, Exhibit No. 799, the inserted typewriting which is read partly by an existing scanty deposit of ink and partly by an indent from the striking of the typewriter keys, the wording is "Texas Local Board 114." In other words, on that line the abbreviation, No., for number is omitted.

The next line being read from Exhibit No. 799 is "Selective Service." That means that the word "System" is omitted, which appears on that second line of Exhibit No. 802.

Now, the next line, again being read from Exhibit No. 799, is "Room 2226," differing only as to the last figure. This read "Room 2227," on Exhibit No. 802.

The street is given as 400 instead of 300 as it appears on Exhibit No. 802. The name of the street is the same, "W. Vickery St."

Reading the last line from Exhibit No. 799, there are the words "Fort Worth, Texas," and this means that there is omitted the zone No. 4, which appears on Exhibit No. 802. Except for the differences mentioned, the material is the same.

Mr. EISENBERG. Do you have any opinion why a person might have gone to the trouble of opaquing out the original name and address and then typing back in a substantially similar name and address?

Mr. COLE. Yes, sir; I do have an opinion. It is my belief that one might suppose that the insertion of original typewriting on the final blank photographic card would carry more of a validating force or would give a greater impression of being an original card than would the reproduction, photographic reproduction, of printed material.

Mr. EISENBERG. Now, Mr. Cole, reviewing the Exhibits which consist of prints of the negatives we have been discussing, that is, Cole Exhibits Nos. 2, 3, 4, 7, 8, and 9, it appears that these prints essentially resemble blank forms, blank printed forms. Can you explain the reason for that?

Mr. COLE. The reason is that these prints are made from negatives which I believe were a part of a purpose for preparing final photographic prints which appear to be blank forms.

Mr. EISENBERG. And in the case of Exhibits—Cole Exhibits Nos. 5 and 6, can you explain the reason why Cole Exhibit No. 6 shows various splotches or splotchylike patterns, whereas Cole Exhibit No. 5 does not?

Mr. COLE. Well, Exhibit No. 6 shows that side of the negative to which the opaquing medium was actually applied, whereas Exhibit No. 5 shows the opposite side. Now, on the opposite side, you can actually read the material that was being opaqued from the negative because the opaquing material is a dull red color and it actually reflects a considerable amount of light. However, it will not transmit any light, and the fact that it will not transmit light is shown by the prints made from these same negatives such as Cole Exhibits Nos. 2, 3, 4, 7, 8, and 9.

Mr. EISENBERG. As I understand it, then, in examining the negatives by reflected light, the opaquing material on the reverse side would serve as a background, and therefore would not prevent you from reading the material which was eventually opaqued out, is that correct?

Mr. COLE. That is true as to Exhibit No. 5.

Mr. EISENBERG. Yes.

Mr. COLE. But you observe on Exhibit No. 6 you cannot read the material opaqued.

Mr. EISENBERG. That is—yes. I should have said when the negatives are examined from their front—is that right?

Mr. COLE. When the negative is examined from the side to which the opaquing material was applied, you cannot read the material that was blocked out by the opaquing.

Mr. EISENBERG. And when it is examined from the other side you can?

Mr. COLE. You can.

Mr. EISENBERG. Because the material serves as a background?

Mr. COLE. That is correct.

Mr. EISENBERG. And is my understanding also correct that when the negative is printed by transmitted light, the opaquing blocks the light from passing through those portions of the negative which have been opaqued, therefore blocking those portions from being printed in the final prints?

Mr. COLE. That is correct; yes.

Mr. EISENBERG. Thank you very much, Mr. Cole.

TESTIMONY OF PROF. REVILO PENDLETON OLIVER

The testimony of Prof. Revilo Pendleton Oliver was taken at 2 p.m., on September 9, 1964, at 200 Maryland Avenue NE., Washington, D.C., by Mr. Albert E. Jenner, Jr., assistant counsel of the President's Commission. Professor Oliver was accompanied by his attorney, Mr. John Unger.

Mr. JENNER. Mr. Reporter, this is Mr. Revilo Pendleton Oliver of Urbana, Ill.

Doctor, would you mind standing so I can swear you.

Do you swear that in the deposition which you are about to give that you will tell the truth, the whole truth and nothing but the truth?

Mr. OLIVER. I do.

This is a deposition and not a hearing?

Mr. JENNER. It is the same thing. We call hearings when the Commission, a member of the Commission is present. These are hearings but we call them deposition hearings. And all of your testimony will be published in full in volume XV of the testimony volumes, and without any editing, expurgating, or deletion.

Mr. OLIVER. Will all testimony be published?

Mr. JENNER. Yes, sir; every bit. It now runs 15 printed volumes.

Mr. UNGER. May I interrupt just a second. I notice that under the resolution adopting the rules that it provides that one or more members of the Commission shall be present at all hearings.

Don't you intend to have a member of the Commission present at this hearing?
Mr. JENNER. No; unless you desire to have one.

Mr. UNGER. Well, I didn't understand that it was a matter of preference. I understood that under the rules under which you operated it wasn't a legal hearing unless you did have one.

Mr. JENNER. It is a hearing; what you are reading is a hearing at which the Commission is sitting as distinguished from a deposition hearing. You will find also in the rules, John, that you have, that they provide for the deposition hearings.

Mr. UNGER. Are you referring now to the second paragraph which says that any member of the Commission or any agent or agency designated by the Commission for such purpose may administer oaths and affirmation, examine witnesses, and receive evidence?

Mr. JENNER. Yes, sir.

Mr. UNGER. I wouldn't normally take that as repealing a previous section that a member be present at all hearings.

Mr. JENNER. It doesn't repeal it, it supplements it.

Mr. UNGER. You see, the subpoena under which Dr. Oliver is here commands him to appear before the President's Commission.

Mr. JENNER. That is right.

Mr. UNGER. Well, I have made my point. I have some question as to whether or not this would be a proper hearing in the absence of a Commission member, and I have so stated in the record.

Mr. JENNER. But if you—Mr. McCloy happens to be here this afternoon, and if you want Mr. McCloy present, why we will have him present.

Mr. UNGER. We have no preference in the matter.

Mr. JENNER. Off the record.

(Discussion off the record.)

Mr. JENNER. Dr. Oliver, the nature of the inquiry enjoined upon the Commission in the discharge of which it has been assiduously engaged is to determine the facts and circumstances relating to the deaths of President John F. Kennedy and Lee Harvey Oswald. There has come to the attention of the Commission and its staff an article entitled, "Marxmanship in Dallas," of which we understand you were the author, published in two parts in American Opinion, a magazine published by the John Birch Society, part I, in the February 1964 issue, pages 13 through 28, and part II in the March 1964 issue, pages 65 through 78.

That article—it is charged among other things that President Kennedy's assassination was a part of a Communist plot engineered with the help of the Central Intelligence Agency, that Lee Harvey Oswald was a Communist agent trained in sabotage, terrorism, and guerrilla warfare, including accurate shooting from ambush, in a school for international criminals near Minsk, Russia, under order from Secretary of Defense Robert S. McNamara, the U.S. Army began to rehearse for President Kennedy's funeral more than a week before the funeral actually took place—

Mr. OLIVER. Now, are we not confusing quite a number of things, here, Mr. Jenner?

Mr. JENNER. Well, you may comment when I finish the statement, if you please.

Mr. OLIVER. Very good.

Mr. JENNER. That Lee Harvey Oswald was sent to Dallas where he tried to murder Gen. Edwin A. Walker; that in November, Oswald was sent back from New Orleans, La., to Dallas, Tex., where a job at a suitably located building had been arranged for him and that something went wrong with the Communist conspiracy's plans, as a result of which Oswald was apprehended and identified.

There has also come to the attention of the Commission various news items and newspapers published in Washington, D.C., Illinois, Mississippi, Arizona, Texas, Colorado, California, and other States, which contain reports of lectures and speeches made by you from time to time, in which you have repeated, elaborated upon, or added to the charges and claims made in your article in the American Opinion which I have summarized.

The Commission is interested, among other things, in obtaining from you the sources of, and the basis for, the foregoing charges and claims appearing in your article and those reported in the news media as having been made by you in lectures and speeches.

John, if you want that, there it is.

Mr. UNGER. Thank you.

Mr. JENNER. I wanted to give you the framework of the examination.

Mr. OLIVER. May I point out that the article to which you originally referred contained no reference to a rehearsal for the funeral, and certainly contained no statement that the CIA had engineered the assassination.

Mr. JENNER. What we will do, I will go into the article. I understand you brought copies of it, and we can put the article in the record and it will speak for itself.

Mr. OLIVER. The entire article will be reproduced in the record?

Mr. JENNER. I beg your pardon?

Mr. OLIVER. Will the entire article be reproduced in the record?

Mr. JENNER. Yes, sir.

Mr. OLIVER. All right.

Mr. JENNER. Have I stated your name accurately, that is, Revilo Pendleton Oliver.

Mr. OLIVER. Yes.

Mr. JENNER. You do reside at 710 West Ohio Street?

Mr. OLIVER. 701, simply Ohio Street there being no West.

Mr. JENNER. You are a professional man. What is your profession, sir?

Mr. OLIVER. I am a professor of classical philology in the University of Illinois.

Mr. JENNER. You have held that position since when?

Mr. OLIVER. I held rank as a full professor, I believe, since 1953, it could be 1954.

Mr. JENNER. You are the holder of a doctor of philosophy degree, are you not?

Mr. OLIVER. That is right.

Mr. JENNER. From what university, sir?

Mr. OLIVER. The University of Illinois.

Mr. JENNER. When did you receive your doctorate?

Mr. OLIVER. To the best of my recollection, 1940.

Mr. JENNER. Approximately?

Mr. OLIVER. 1940.

Mr. JENNER. Have you resided in Urbana or in Champaign, at least in the university area, from the time you became a member of the faculty of the University of Illinois and a professor?

Mr. OLIVER. Legally, I believe; yes.

Mr. JENNER. Would you want to explain to me what you mean by "legally"?

Mr. OLIVER. Well, I have lived elsewhere during that time; I have been abroad, and I have lived in Washington, D.C., and in Virginia, but I maintained a legal residence in Urbana.

Mr. JENNER. These, I take it, were either special assignments, or vacations, or sabbatical leaves to which you refer?

Mr. OLIVER. Right, and let us say Urbana and/or Champaign, because during some of those years I lived in the adjacent town of Champaign.

Mr. JENNER. Yes. Urbana/Champaign, they are twin cities, and the university is located in both cities, is that not correct?

Mr. OLIVER. Between the two.

Mr. JENNER. Between the two. Although their boundaries touch?

Mr. OLIVER. Yes; in fact, their boundaries so touch they have a problem because cars parked in one city would find the parking meters on the curb of the other city.

Mr. JENNER. Would you give me, but not in great elaboration, your career from your college days. You received a master's degree, where did you receive that?

Mr. OLIVER. Out at the University of Illinois, also.

Mr. JENNER. Just tell us in summary.

Mr. OLIVER. I took my doctoral degree at the University of Illinois, under Prof. William Abbott Oldfather.

Mr. JENNER. A very great man.

Mr. OLIVER. A very distinguished man. I have been successively instructor, assistant professor, associate professor, and professor of the classics, and I have also been assistant professor, associate professor, and full professor of Spanish and Italian—largely a matter of my giving courses in the Renaissance.

Mr. JENNER. Do you teach Latin and Greek, too, or have you?

Mr. OLIVER. Oh, that is classics.

Mr. JENNER. I see. During the war did you have some special assignment militarily oriented or Government oriented?

Mr. OLIVER. Yes; during the war I was on leave from the university for service with the War Department.

Mr. JENNER. And without revealing any secrets, would you tell us the general nature of that?

Mr. OLIVER. The general nature of that was work that is supposedly secret in nature. I can only say I was with the War Department and that the offices in which I principally worked were located on Lee Boulevard in Arlington, and not in the Pentagon.

Mr. JENNER. Was this civilian oriented rather than army oriented?

Mr. OLIVER. I was a civilian expert. It was, however, an Army Establishment under the command of a general.

Mr. JENNER. What was that, research work?

Mr. OLIVER. Yes; under the command of a brigadier general, I should say.

Mr. JENNER. This research work, did that involve any work of investigating or inquiring into the commission of crimes or conspiracies, work of that nature?

Mr. OLIVER. Not actual investigation on my part.

Mr. JENNER. But—

Mr. OLIVER. It involved the use of the results of the investigations of others.

Mr. JENNER. So that you had experience in examining investigators' reports and reaching judgments from those reports?

Mr. OLIVER. Yes.

Mr. JENNER. And reporting your judgment to your superiors.

Mr. OLIVER. That is right.

Mr. JENNER. Are you a member of the John Birch Society?

Mr. OLIVER. I am a member of the council of John Birch Society.

Mr. JENNER. Would you explain to me what that is? I am frank to say to you I don't know.

Mr. OLIVER. The John Birch Society was founded by Mr. Robert Welch in Indianapolis, Ind., in December 1958. Very shortly after its foundation a council was organized. The council consists of persons whom the society regards as prominent, and has approximately 30 members. The number fluctuates, of course as a result of deaths, and so on. The council meets with Mr. Welch periodically.

Mr. JENNER. Is it in the nature of a board of managers or a board of governors of a bar association? I am not trying to be technical, but just trying to get a notion of what the council is.

Mr. OLIVER. I am not sufficiently familiar with the board of governors of a bar association but I think as a general analogy that would stand, yes.

Mr. JENNER. That is all I wanted.

And you became a member in 1958, did you say?

Mr. OLIVER. At the foundation.

Mr. JENNER. And you have remained one ever since?

Mr. OLIVER. Oh, yes.

Mr. JENNER. Do you have any other official connection with the John Birch Society apart from being a member of the society and of the council?

Mr. OLIVER. No; I write for American Opinion. And I am associate editor of it, I believe. American Opinion, by the way, is published by Robert Welch, Inc.—

Mr. JENNER. Explain that to me, if you please?

Mr. OLIVER. Which is a corporation, some of the stock of which is held by the John Birch Society.

Mr. JENNER. Could I ask you one thing, Doctor?

Mr. OLIVER. Yes, sir.

Mr. JENNER. You tend, and many witnesses do, you tend to drop your voice

about three quarters of the way through a sentence. It would be helpful to me if you could keep it up a little.

Mr. OLIVER. Very good. I didn't want to seem to be lecturing.

Mr. JENNER. Don't worry about it.

I see you have before you what looks like a magazine with a colored cover. Does that happen to be a copy of American Opinion?

Mr. OLIVER. It is.

Mr. JENNER. Would you mind if I looked at it?

Mr. OLIVER. Not at all. That is the March issue of this year.

Mr. JENNER. I take it that the document I have in my hand and the other that you have before you contain part I and part II of the article to which I made reference in my opening statement?

Mr. OLIVER. That is right. Will these copies be returned to me?

Mr. JENNER. Are these the only ones you have, sir?

Mr. OLIVER. Those are my file copies.

Mr. JENNER. May I say this to you, any witness who wants the return of his documents is entitled to them. That is our practice. If we have to return them, we duplicate them on a Xerox machine. Some of the material, like the pictures will not be as clear as you will wish. Whereas if you permit us to retain the original copy, then it will be photographed and the photograph of the document in evidence will be quite clear. It occurred to me if acceptable to you, that for purposes of reproduction, the original is to be preferred. May I suggest that you probably will so desire, can you not obtain official copies?

Mr. OLIVER. I will take the chance of obtaining additional copies. The issues were sold out.

Mr. JENNER. I see.

Mr. OLIVER. But perhaps I can find extras. So you may have those.

Mr. JENNER. Thank you.

Mr. Reporter, I will mark the copy entitled "American Opinion, An Impartial Review, March 1964," upon which appears the rubber stamp "R. P. Oliver, File copy," as Oliver Exhibit No. 1.

(The document referred to was marked Oliver Exhibit No. 1 for identification.)

Excuse me. Whose picture is that on the cover page?

Mr. OLIVER. Senator Thurmond's.

Mr. JENNER. I mark the second document which is on its face, the February 1964 issue of American Opinion, likewise stamped "File copy, R. P. Oliver" on which appears a picture of General MacArthur.

(The document referred to was marked Oliver Exhibit No. 2 for identification.)

Mr. JENNER. I take it from the discussion we have had, Dr. Oliver, that in Oliver Exhibit No. 1 appears part I.

Mr. OLIVER. Part II.

Mr. JENNER. Have I got them reversed?

Mr. OLIVER. I thought of interrupting at the time you marked those exhibits, and then thought perhaps I should not.

Mr. JENNER. Well, I have got them marked so I will have to leave them that way.

In Oliver Exhibit No. 1, appears part II at pages 65 through 76 of your article entitled "Marxmanship in Dallas," and that in volume 2 appears part I of the same article at pages 13 through 28.

These two pamphlets, Doctor, are true and correct copies of the issues of American Opinion of the dates that we have described?

Mr. OLIVER. They are the printed copies, yes.

Mr. JENNER. Now, I will refer to Exhibits 1 and 2 in which are contained the parts II and I, respectively of your article. I want to ask you some questions as to the sources of some of the statements made therein.

But before I do that, I will ask whether you are the author of the article?

Mr. OLIVER. Yes, that is right.

Mr. JENNER. Part I and part II.

Mr. OLIVER. Right.

Mr. JENNER. The picture representation in each of those issues is your picture?

Mr. OLIVER. The picture of myself, yes. I may say I did not choose the other photographs. That was the work of the editor.

Mr. JENNER. I should say that the picture representation on page 13 of Exhibit 2, and the picture representation on page 65 is in each instance your picture?

Mr. OLIVER. That is right.

Mr. JENNER. I will ask you a general question first. If you want to particularize you may. I will tell you that I will get into particulars as we go along. What was the source, or what were the sources, if there was more than one source, of the statements and claims made in your article. When I say "your article" I mean both parts, unless I distinguish.

Mr. OLIVER. Statements which I make as statements of fact or of reports are taken very largely, perhaps entirely, from printed sources, such as newspapers, periodicals.

The portions in which I reason from those facts are, of course, the deductions which I draw.

Mr. JENNER. Do the articles indicate when you are reasoning and when you are referring to sources?

Mr. OLIVER. I believe so with at least reasonable clarity. It was my intention to make that clear.

Mr. JENNER. I take it then that none of the portions of the article is derived from any personal source of information upon your part, that is personal knowledge as distinguished from reference sources that you have described to me.

Mr. OLIVER. Certainly nothing concerning the assassination is derived from any personal knowledge of mine. I was not present, and as a matter of fact, have seen none of the persons involved. By "seen," of course, I mean seen personally, not in pictures or films.

Mr. JENNER. All right.

I direct your attention to part I, on page 13. You make the statement, "Lee Harvey Oswald was a young punk who defected to the Soviet taking with him the operational codes of the Marine Corps and sufficient other secrets as a fledgling traitor had been able to steal while in military service."

What is the source of your statement that Lee Harvey Oswald took with him or even had the operational codes of the Marine Corps?

Mr. OLIVER. The principal source certainly is a statement made by a former officer of the Marine Corps and reported widely in the press at the time, that after Oswald's defection the Marine Corps found it necessary to change all of their operational codes, and further had to make certain other changes evidently involving radar frequencies, and quite possibly the location of radar stations.

The officer, naturally, was not too explicit on that point. He stated, however, that this work involved, I believe, many thousands of man-hours of work.

Well, I think that a reasonable inference is that no organization would expend without reason the many thousands of man-hours of hard work and the other effort and expense that would be necessary to make those changes without good and sufficient reasons to believe that their codes had been compromised.

Mr. JENNER. I take it then that the source of your information, to pinpoint it, was a newspaper report?

Mr. OLIVER. That is right.

Mr. JENNER. Of a statement made by an officer of the Marine Corps?

Mr. OLIVER. That is right.

Mr. JENNER. That was your sole source of information?

Mr. OLIVER. To the best of my recollection it was.

Mr. JENNER. Do you happen to have a copy of that newspaper account? Did you bring one with you by any chance?

Mr. OLIVER. I believe that I have. You people have the American Eagle reprint of the assassination story, do you not?

Mr. JENNER. Would you describe that more definitely for the record?

Mr. OLIVER. The American Eagle reprint is a reprint by photo offset of clippings from the two Dallas newspapers and, I believe, possibly two other sources.

Mr. JENNER. May I interrupt you? Now I know what you are talking about.

Mr. OLIVER. Yes.

Mr. JENNER. It is published by the American Eagle Publishing Co.

Mr. OLIVER. That is right.

Mr. JENNER. Of which Robert A. Surrey is president?

Mr. OLIVER. That is right.

Mr. JENNER. Of Dallas, Tex.

Mr. OLIVER. I believe he is president.

Mr. JENNER. He has so testified. When you first mentioned this document it didn't click with me, but now I recall. It is tall, newspaper-sized yellow-covered—

Mr. OLIVER. That is right.

Mr. JENNER. Document.

(Discussion off the record.)

Mr. JENNER. Mr. Reporter, that has been received in evidence as Commission Exhibit No. 1015. If you have a copy with you in your bag, Doctor, would you please get it out and then refer me to the page?

Mr. OLIVER. Yes.

Mr. JENNER. Please make your references to the Commission Exhibit No. 1015 and the record will be much clearer.

Mr. OLIVER. That is, the Commission Exhibit No. 1015 is the American Eagle reprint?

Mr. JENNER. That is right. You will notice, if you will turn to the back page Doctor, that Robert Surrey is listed as president of the American Eagle Publishing Co.

Mr. OLIVER. Right.

Mr. JENNER. Would you have the record show, Mr. Reporter that Dr. Oliver is now examining a copy of Commission Exhibit No. 1015 to see if he can locate the news source on which he based the statement in Oliver Exhibit 2 that Oswald took with him the operational codes of the Marine Corps and sufficient other secrets as a fledgling traitor had been able to steal in the military service.

Mr. JENNER. All right, Doctor. Would you identify the page if you have located it?

Mr. OLIVER. This is the page of reprints from the Dallas Morning News with the date 12/4 at the very top of the page in heavy writing.

Mr. JENNER. We are now looking at the back of page 12. It has a dateline Wednesday, December 4, 1963. You are referring, sir, to a particular item?

Mr. OLIVER. Yes.

Mr. JENNER. Would you read the headline?

Mr. OLIVER. This particular item is an Associated Press Dispatch, and in this paper is headlined, "Oswald a 'wise guy,' ex-Marine officer says." And in it, John E. Donovan, a former Marine officer, is reported as saying, the Oswald's defection "compromised all our secret radio frequencies, call signs and authentication codes. He knew the location of every unit on the west coast, and the radar capability of every installation. We had to spend thousands of man-hours changing everything, all the technical frequencies"—"all the tactical frequencies," I am sorry—"and verify the destruction of all of the codes." That I regard as the significant part of the statement.

Mr. JENNER. Is there any other newspaper clipping contained in Commission Exhibit No. 1015 upon which you relied in making the statement in question or to which I have referred in part 1 of your statement?

Mr. OLIVER. It is possible that the same dispatch is reproduced from another newspaper also in this document, but to the best of my recollection it would be the same in both.

Mr. JENNER. So it is a fair statement that the quotation I read into the record from your article was based upon that news report of Officer Donovan's statement or a repetition of that news item in some other newspaper?

Mr. OLIVER. Right.

Mr. JENNER. And no other source?

Mr. OLIVER. Yes.

Mr. JENNER. No other source meaning yes, there was no other source?

Mr. OLIVER. Meaning there was no other source.

Mr. JENNER. Then, follow me in your article again. You say a sentence later, "He was then trained" the "he" referring to Lee Harvey Oswald, "in sabotage, terrorism and guerrilla warfare (including accurate shooting from ambush) in the well-known school for international criminals near Minsk, and while

there he married the daughter of a colonel in the Soviet military espionage system (and possible also in the Secret Police.)"

That is starred, indicating a footnote. The footnote reads, "If you missed the detail about Mrs. Oswald's father, see the Congressional Record for December 4, page 22215." Have I read it correctly?

Mr. OLIVER. I believe so.

Mr. JENNER. What is the source of your statement that Oswald was trained in sabotage, terrorism, and guerrilla warfare, including accurate shooting from ambush in the well-known school for international criminals near Minsk?

Mr. OLIVER. It would be a number of sources. The first, a radio broadcast on an international hookup made, as I recall, on the Saturday following the assassination from Vienna by a reporter—

Mr. JENNER. Excuse me, that would be the next day, the 23d of November, 1963. The 22d was a Friday. That is the day of the assassination. The 23d was a Saturday. The 24th was Sunday, and was the day on which Mr. Ruby shot Lee Harvey Oswald. All I am seeking to clear up, Doctor, is I gather, that the Saturday you have in mind is the day immediately following, or in other words, the day after the assassination, rather than the succeeding week.

Mr. OLIVER. That is right. In other words the Saturday and Sunday immediately following that Friday. This was a broadcast from Vienna by a correspondent for, I believe, the Hearst newspaper named Flieders.

Mr. JENNER. Would you spell it for me, please?

Mr. OLIVER. As I heard it, I would assume that it was F-l-i-e-d-e-r-s or F-l-i-e-g-e-r-s, I was not quite sure, which. Who stated—

Mr. JENNER. Your understanding, it was a broadcast from Germany?

Mr. OLIVER. No; Vienna.

Mr. JENNER. Thank you.

Mr. OLIVER. The man stated that he had learned from underground sources that Oswald under cover of employment in a factory at Minsk, was trained in the school for sabotage and terrorism—that I believe was the phrase used—at Minsk. That was, of course, an extremely plausible statement. It has been a matter, I believe, of general knowledge for some time, that such a school was operated in the vicinity of Minsk. It is comparable perhaps to the school in the vicinity of Prague at which Raul Castro was trained. It would be difficult for me to say where I first learned of the existence of such a school.

Mr. JENNER. When you say "such a," you mean this particular one? This one at Minsk?

Mr. OLIVER. It is my recollection it was in connection with some inquiries I was making into the careers of some Communists in Latin America, but I do not recall it clearly. I believe that references to that school are also to be found in the memoirs of some defectors. I am thinking particularly of Granovsky, the author of a book entitled "I was an NKVD agent."

Now, Granovsky himself was trained at Bykova. But my recollection is not clear in what connection he mentions the school at Minsk, and I cannot be sure that he mentions it at all. There are a large number of memoirs, as you know, of people who were associated in one way or another with the Russian secret police.

Mr. JENNER. Or at least claimed.

Mr. OLIVER. It would take me quite some time because most of those books do not have indices. It would be quite some time to run down the references, but the statement that he was trained at Minsk seemed to me to be a perfectly reasonable statement.

Mr. JENNER. Is this a fair statement of the import of your testimony, that when you heard the broadcast during the morning or late evening hours of the 23d-24th from Vienna, that that awakened in your mind so far as the school at Minsk is concerned, some things that you had read prior to that time?

Mr. OLIVER. Oh, yes.

Mr. JENNER. Other than having read the memoirs you have mentioned and hearing the broadcast to which you have referred, did you have any other source, that is personal in nature, let us say, that there actually existed while Mr. Oswald, Lee Harvey Oswald was there, or since or prior, a school for international criminals in which sabotage, terrorism, and guerrilla warfare was taught?

Mr. OLIVER. No personal knowledge. I never attended the school.

Mr. JENNER. I didn't mean that, sir. What I am seeking to do is narrow down the source of your statement. What I am seeking is sources and to determine whether there is any source of information which this Commission has not itself investigated and should investigate.

Mr. OLIVER. Again, my recollection will be vague. There was some discussion several years ago among "Sovietologists"—of a Russian—of a report from Russian sources that this school had been closed.

Mr. JENNER. Was there a publication?

Mr. OLIVER. I am virtually certain it must have been a publication; yes. I believe it was mentioned in connection with some one of these stories that the Russians were "mellowing" and so on.

Mr. JENNER. Mr. Unger, I apologize to you, I should have stated for the record the fact that you are here representing Doctor Oliver. Would you give the reporter your full name and where you reside and practice law?

Mr. UNGER. Yes; John Unger, in Danville, Ill., is where I practice.

Mr. JENNER. And you appear here as counsel for Dr. Oliver.

Mr. UNGER. Yes.

Mr. OLIVER. You will find that school also mentioned in the statement that Congressman Ashbrook read into the Congressional Record on the pages cited there.

Mr. UNGER. May I interject here that I think that what Dr. Oliver is trying to do is to try to furnish you as many sources as possible for information about the existence of the school in or near Minsk, because I was told your conversation with me on the telephone, that you were not aware of that information but I suspect what you are primarily concerned about is the information he had of Lee Harvey Oswald attending that school.

Mr. JENNER. I want his sources for all the statements he has made. I was about to get to that.

Mr. UNGER. Yes; and I take it that he has answered that question as fully as he can when he told you about this broadcast which he heard.

Mr. JENNER. You have heard Mr. Unger's statement, Doctor. Do you accept that, that your sole source of information as to Lee Harvey Oswald's having attended, as you state, in part 1 of your article, having attended this school, was the broadcast from Vienna the night of November 23-24?

Mr. OLIVER. No; there was also the statement in Congressman Ashbrook's article in the Congressional Record, as I recall. A further statement by Congressman Ashbrook in an article, a short article, more or less summarizing what he had read into the record, which appeared in a publication of the Liberty Lobby.

Mr. JENNER. Liberty Lobby?

Mr. OLIVER. Yes.

Mr. JENNER. What is that publication, sir?

Mr. OLIVER. I believe it was the Liberty Letter, as it is called.

Mr. JENNER. Would you identify it for me, who publishes it?

Mr. OLIVER. The Liberty Lobby is an organization here in Washington of which I understand Willis Carto is an active member and possibly officer, I do not recall clearly. Its purpose as stated, is to lobby for American interests in Congress.

Mr. JENNER. Doctor, I have a copy of the daily Congressional Record for Wednesday, December 4, 1963, pages 22215 and 22216 (bound volume 109, part 18, page 23331). I have marked it as Oliver Exhibit No. 3. I hand that to you. Would you tell me if that is the Congressional Record source to which you made reference?

(The document referred to was marked Oliver Exhibit No. 3 for identification.)

Mr. JENNER. It may help you that the footnote of your article refers to page 22215 of the December 4 issue of the Congressional Record.

Mr. OLIVER. Yes; that is the statement by Congressman Ashbrook to which I referred. I was, of course, referring particularly, to the statement about his wife.

Mr. JENNER. About Oswald's wife?

Mr. OLIVER. Oswald's wife; yes.

Mr. JENNER. I take it, then, that is the portion of the matter I quoted in which it is stated that "He" meaning Oswald, "married the daughter of a colonel in the Soviet military espionage system (and possibly also in the secret police)."

Mr. OLIVER. I have since learned that that statement was somewhat inaccurate.

The girl now known as Marina Oswald, as I understand it, lost her father when she was about 2 years old. Her mother remarried and died when Marina was in her teens, and at the time that Oswald met her Marina was living, evidently, in the capacity of a daughter, in other words, an adopted daughter for practical purposes, with the colonel of the Soviet military intelligence.

Mr. JENNER. What is your source for that supposition?

Mr. OLIVER. That I base on a report from a man whose research I use a great deal in my work, Mr. Frank Capell. Mr. Capell, is a private expert on Communism and Communist infiltration, who, I understand, has the cooperation of many former intelligence officers of the Army and former members of the FBI.

Mr. JENNER. When you say army you mean the United States Army?

Mr. OLIVER. United States Army; yes. And other very good sources. He has very elaborate files and among the research workers whose work I use Mr. Capell's work has been particularly important to me in connection with these articles.

Mr. JENNER. I take it then that the sources of the statement which I have quoted from your article, all portions of it, were, may I use the term, secondary sources, that is, the broadcast you have mentioned, newspaper items, research reports of Mr. Capell or either that you saw published or which he transmitted to you as the case may be, which came to your attention?

Mr. OLIVER. That is right.

Mr. JENNER. Here again your information was not, if I may use the term, direct source, of your own?

Mr. OLIVER. No; in the sense that I never met Oswald, knew nothing of his career.

Mr. JENNER. Or you never knew that this school existed other than as reported through these secondary sources?

Mr. OLIVER. True, and of my own personal knowledge I do not even know that Minsk exists.

Mr. JENNER. You have never been there?

Mr. OLIVER. That is correct.

Mr. JENNER. Have you now given me all the sources of that statement to which the Commission may turn its attention if it has not already done so?

Mr. OLIVER. You are now referring to the marriage of Oswald to the daughter of the Soviet Colonel?

Mr. JENNER. I am referring to the whole sentence beginning, "He was then trained", and ending "secret police."

Mr. OLIVER. Did I mention that the adopted father was her uncle, was the uncle of Marina?

Mr. JENNER. I don't think you called him an adopted father.

You mean in the sense she went to live with him?

Mr. OLIVER. She went to live with him in the capacity of a daughter.

Mr. JENNER. All right. I lost your thought. Would you repeat? You did mention something, you said?

Mr. OLIVER. Did I mention that the colonel in the Soviet military intelligence with whom Marina was living at the time that Oswald married her, was, according to her statement, her uncle?

Mr. JENNER. I don't think you mentioned that.

Mr. OLIVER. I did not want to intrude any other implication into the record.

Mr. JENNER. No; of course not. Here again the reference to him as her uncle is in turn based on either a newspaper source or a news broadcast or some other secondary source?

Mr. OLIVER. In this case I believe I am relying principally on research done by Mr. Capell.

Mr. JENNER. All right. Also, as a source would be the daily Congressional Record for December 4, 1963, page 22215.

Mr. OLIVER. It is, I think, relevant to the Commission's inquiries that excerpts published from the diary of this man Oswald indicate two things: First, that he was receiving a salary of approximately 700 rubles from the Russian Government through a Red Cross—Russian Red Cross—cover; and, second, that he was on terms of such intimacy with the colonel in the military intelligence that he could boast of their drinking parties together.

Mr. JENNER. Here, again, your statement is based on what?

Mr. OLIVER. On——

Mr. JENNER. Excuse me, may I amend my question by asking the source of your information?

Mr. OLIVER. Principally certainly research reports from Mr. Capell. I saw, of course, certain excerpts published in the newspapers.

Mr. JENNER. Recently?

Mr. OLIVER. But I am relying principally on Mr. Capell's research.

Mr. JENNER. You have reference, I assume, I don't know when it was published, Oswald's autobiography? Did you see that?

Mr. OLIVER. Not with that title on it. I am thinking of newspaper reports that quoted not more than two or three paragraphs.

Mr. JENNER. I see.

Mr. OLIVER. Containing excerpts from the diary.

Mr. JENNER. But you saw no such newspaper reports of excerpts at or prior to the time you wrote and published this article, did you?

Mr. OLIVER. I believe not; no. I mentioned that as merely pertinent to the scope of your inquiry, as you could find.

Mr. JENNER. Then you go on in your article and say, "In 1962 after he had been trained for 3 years in Russia, the Communist agent and his Communist wife were brought to the United States in open violation of American law by our Communist-dominated State Department." Now, I take the statement "had been trained for 3 years in Russia," the sources thereof are the sources you have already mentioned?

Mr. OLIVER. That is right.

Mr. JENNER. In connection with the previous sentence. What is your source for the statement that he was a Communist?

Mr. OLIVER. A man who can——

Mr. JENNER. If you will forgive an interruption, Doctor——

Mr. OLIVER. Right.

Mr. JENNER. First, tell me the source, I have no objection to your elaborating after you have given the source.

Mr. OLIVER. For the statement that he was a Communist agent, I rely on what I regard as certain inference from, A, his training in this school; B, the circumstance he was a man who had been accorded most extraordinary privileges in Russia; C, that he had been permitted to marry and take with him the adopted daughter of a man in the Russian intelligence service.

Mr. JENNER. Excuse me, sir, are you now using adopted in the technical sense, that the uncle you have identified adopted her?

Mr. OLIVER. I am using it loosely because I for that matter do not know whether there is legal adoption in the Soviet.

Mr. JENNER. I didn't want you to utter something that you perhaps did not intend.

Mr. OLIVER. No; I was merely reluctant to say "purported father" because that would have another implication. D, that he had been permitted to return to the United States by the Soviet with his wife; E, his activities in the United States after his return, all of which were quite obviously in the Communist interest. I believe that summarizes the principal points on which I based my deduction. It is, of course, true that I had no personal knowledge that he was a Soviet agent.

Mr. JENNER. Now, were the sources of these points A through E, the news reports, Commission Exhibit 1015, the Congressional Record, newspaper clippings, and other secondary sources of that nature?

Mr. OLIVER. Together with, here also, reports from Mr. Capell.

Mr. JENNER. Do you have with you copies of any of the reports of Mr. Capell that you considered?

Mr. OLIVER. No; I do not.

Mr. JENNER. Do you have with you the sources that you considered in connection with making of the statement we have now immediately quoted?

Mr. OLIVER. I beg your pardon, I did not hear your last words.

(The question, as recorded, was read by the reporter.)

Mr. JENNER. That is, the sentence commencing at the bottom of page 13 of Oliver Exhibit No. 2 and concluding at the top of the right-hand column.

Mr. OLIVER. I strongly imagine that most of the details regarding Oswald's return to this country are to be found in the news clippings here.

Mr. JENNER. In Commission Exhibit No. 1015?

Mr. OLIVER. Right.

Mr. JENNER. And that is the source that you considered?

Mr. OLIVER. That and similar news clippings. I would not want to say they were all in this collection.

Mr. JENNER. I don't wish to put those words in your mouth either, but those are the sources upon which you base the statement?

Mr. OLIVER. Right.

Mr. JENNER. Does that include the statement that he and his wife "were brought to the United States by our Communist-dominated State Department."

I am seeking here to emphasize only the point of your statement that they were brought to the United States by the State Department.

Mr. OLIVER. They were brought in the sense that they were given passports and that their passage was paid for with money from the State Department in the sum of something less than \$500 as I remember it.

Mr. JENNER. Monies advanced by the State Department. You are aware those monies were repaid?

Mr. OLIVER. I do not know whether they were repaid or not. I believe that I have heard that they were never repaid. But that is something I certainly would not say without a checking.

Mr. JENNER. Well, just for your information they were repaid by January of 1963.

Mr. OLIVER. They were. May I further ask whether it is known from what source they were repaid?

Mr. JENNER. Yes, sir; when the report is published this month you will see it.

Mr. OLIVER. Very good.

Mr. JENNER. Your statement that he was brought back or permitted to come back in open violation of American law is a statement of your opinion only, I take it?

Mr. OLIVER. Of my opinion, based, I believe, on the import of legislation intended to prevent the coming of known Communists to this country.

Mr. JENNER. It is your interpretation of Federal statutes and regulations?

Mr. OLIVER. That is right.

Mr. JENNER. Then you continue in your article in the right-hand column on page 13, "Upon his arrival in this country Oswald took up his duties as an agent of the conspiracy, conspiracy with a cap C, spying on anti-Communist Cuban refugees, serving as an agitator for Fair Play for Cuba, and participating in some of the many other forms of subversion that flourish openly in the defiance of law through the connivance of the Attorney General, Robert F. Kennedy."

Here again, I take it, your statement that he was an agent and he took up duties as an agent of the conspiracy, was the same source you relied upon in connection with the previous sentence that he was a Communist agent.

Mr. OLIVER. Yes. In the sense that this spying on Cuban refugees could scarcely have had any other purposes. Fair Play for Cuba is very obviously a Communist enterprise.

Mr. JENNER. This statement, in turn, is based on newspaper reports and radio broadcasts or television broadcasts, as the case may be?

Mr. OLIVER. Yes. I should perhaps add, yes; that I heard a personal account in, as I recall, Tulsa, Okla., from a man who was connected with a Cuban group that Oswald tried to infiltrate.

Mr. JENNER. Was that Carlos Bringuier?

Mr. OLIVER. Bringuier, I believe so, yes. And I also heard from the publisher of the Independent American of an attempt by Oswald to obtain employment on that newspaper.

Mr. JENNER. Would you identify that person, please?

Mr. OLIVER. The Independent American is a newspaper published by Kent Courtney, or I should say edited by Kent Courtney, in New Orleans.

It is C-o-u-r-t-n-e-y.

It is largely composed of reprints of editorials and other material from conservative sources in the United States. There is some original material written by either Mr. or Mrs. Courtney.

Mr. JENNER. When you said you heard from the editor, is that gentleman Mr. Courtney?

Mr. OLIVER. That is Mr. Courtney.

Mr. JENNER. And when you say you heard from him was that a conversation or did he send you a copy of his piece or a copy of the article?

Mr. OLIVER. A conversation.

Mr. JENNER. A conversation. Have you seen any article or item he has written or published in which he makes that statement in substance?

Mr. OLIVER. Not that I recall. If so, I saw it after the conversation and I did not remember it separately.

Mr. JENNER. For your information, and Mr. Unger's, Mr. Bringuier has been examined at very considerable length.

Mr. OLIVER. Mr. whom?

Mr. JENNER. Mr. Bringuier.

Mr. OLIVER. Yes. Did he confirm what he told me?

Mr. JENNER. Doctor, I will give you the pleasure of reading his testimony.

Mr. OLIVER. Very good.

Mr. JENNER. A part of your statement, which I have already quoted, is that Oswald engaged in these activities "through the connivance of the Attorney General, Robert F. Kennedy."

Upon what source did you rely or base this statement that I have just quoted?

Mr. OLIVER. Primarily the failure to enforce a law of Congress which, incidentally, has been held constitutional, requiring members of the Communist Party to register and, also what seemed to me to be a very conspicuous absence of any other legal measures against the Communist Party or its auxiliaries.

Mr. JENNER. Would you have the record show, Mr. Reporter, that the witness is consulting with Mr. Unger. Do you wish to add anything now?

Mr. OLIVER. No. I take it that the references are to sources that I had at my disposal at the time I wrote this article.

Mr. JENNER. Yes, sir.

Mr. OLIVER. That is right.

Mr. JENNER. It may be that you have repeated the statement subsequently, and if you have any subsequent sources I wish to have them since the Commission continues to function until it renders its report. That is, you may have discovered something in the meantime that is of a more primary source than you have indicated, which would, of course, be important to the Commission. If you have discovered such a source since then would you please mention it.

Mr. OLIVER. I believe some confirmation of this statement will come out later in the testimony.

Mr. JENNER. I see. At some subsequent point of your article?

Mr. OLIVER. Yes.

Mr. JENNER. You go on to say, "In April of 1963 he was sent to Dallas where he tried to murder General Walker."

What is the source of your statement that he was sent to Dallas and by whom?

Mr. OLIVER. That statement is based upon the consideration that it is extremely improbable that a Communist agent would do anything of importance except under orders from his superiors. The extremely rigid discipline to which Communists are subjected in the neophyte stage is, I think, very lucidly set forth by Frank Meyer in his "Molding of Communists," I believe.

Mr. JENNER. That is a book, is it, or an article?

Mr. OLIVER. A book by Mr. Meyer published several years ago.

Mr. JENNER. And in turn also, this reasoning of yours is based on the assumption that Oswald was a Communist?

Mr. OLIVER. Yes.

Mr. JENNER. You have mentioned neophyte. Would you for my edification if none other, explain to me what is a neophyte Communist, as distinguished from some other kind of Communist?

Mr. OLIVER. Well, I was simply using the term in its usual sense, with reference to a person recently admitted to a cult or organization under discipline. And Mr. Meyer makes the point that from the very early stages of a person's membership in the Communist Party, he is accustomed to the kind of discipline which would make it impossible for him, let us say, to marry or divorce, to change jobs, to do anything of sufficient importance to affect his usefulness as an agent without the permission of his superiors. I should say nobody is going to take it for granted when I cite Frank Meyer's source that is my only source of knowledge of Communist methods. Let me add that I have read a great deal on the organization and operation of the Communist Party and all of that necessarily goes into my reasoning on this subject.

Mr. JENNER. Then you proceed to, and I am quoting again, "The failure does not reflect on the assassin's professional training: General Walker happened to turn his head at the instant the shot was fired."

What is the source of your statement that General Walker happened to turn his head at the instant the shot was fired?

Mr. OLIVER. Well, I believe it was published at the time, but there I rely primarily on General Walker himself.

Mr. JENNER. Did General Walker tell you that himself?

Mr. OLIVER. Yes.

Mr. JENNER. You will be interested in reading his testimony. I take it then it is the statement of General Walker and newspaper accounts?

Mr. OLIVER. That is right.

Mr. JENNER. And those are your two sources?

Mr. OLIVER. Yes, sir.

Mr. JENNER. You proceed, "according to a story that has been neither confirmed nor denied officially, at the time I write, Oswald was arrested as a suspect but was released through the personal intervention of Robert F. Kennedy and all inquiry into the attempted assassination of a great American was halted."

And you have a footnote. The footnote reads, "Reprinted in the Councilor, 228 Oil and Gas Building, Shreveport, La., December 20, 1963."

Do you have a copy of the Councilor to which you have referred in your footnote?

Mr. OLIVER. I do, I believe. Yes; you will find it at the bottom of page 1.

Mr. JENNER. May I mark this as an exhibit, please?

Mr. OLIVER. I should like that returned to me for my files.

Mr. JENNER. That will be easy because we can duplicate this on Xerox very readily.

Mr. OLIVER. Very good. Incidentally, if you want a somewhat better duplication you will find this in this American Eagle reprint, also.

Mr. JENNER. The Commission Exhibit No. 1015 that you have before you?

Mr. OLIVER. That is right.

Mr. JENNER. Would you identify that for me, please?

Mr. OLIVER. You will find it on the page, the rest of which consists of excerpts from the Dallas Morning News, headed in large black pencil 12/6.

Mr. JENNER. And the date, or the heading at the top, boldfaced heading is "Soviet Insinuations call for Query Oswald." On the bottom right-hand side of the page appears what apparently is a news clipping.

Mr. OLIVER. It is from the Deutsche National Zeitung.

Mr. JENNER. We have been identifying, Mr. Reporter, a page in Commission Exhibit No. 1015. Is that correct?

Mr. OLIVER. That is right.

Mr. JENNER. I have marked as Oliver Exhibit No. 4 the December 20, 1963, issue of The Councilor volume 2, No. 3, published by Citizens Council of Louisiana, Inc., for Americans everywhere, which Dr. Oliver has produced for me, which I will return to him, or I will return it to you, Mr. Unger, as soon as we have duplicated it.

Mr. OLIVER. Do you not have a file of the papers yourselves?

Mr. JENNER. If we don't have it it will be a modern miracle. You are asking for my personal knowledge. I must say I don't know.

Mr. OLIVER. Right.

(The document referred to was marked Oliver Exhibit No. 4 for identification.)

Mr. JENNER. But if we don't have it, it will amaze me. I, in my work, have not seen it.

I take it then that the Oliver Exhibit No. 4 and the portion of Commission Exhibit No. 1015 which I have identified are the sources for your statement that Oswald was arrested as a suspect in connection with the attempt on the life of General Walker?

Mr. OLIVER. They are the sources for my statement that there was a report that that had happened.

Mr. JENNER. All right. And that General Walker happened to turn his head and for that reason he escaped death.

Mr. OLIVER. Well, as I have said, that was based partly on statements made by General Walker.

Mr. JENNER. And in part on the Zeitung news report, of course?

Mr. OLIVER. Yes.

Mr. JENNER. Also, those two sources, I take it, are the source of your statement that Oswald, "was released through the personal intervention of Robert F. Kennedy."

Mr. OLIVER. That is part of the statement in the report that I am quoting.

Mr. JENNER. In other words, that the source upon which you base that statement was Oliver Exhibit No. 4, and its reproduction in whole or in part in Commission Exhibit No. 1015?

Mr. OLIVER. And specifically the German text.

Mr. JENNER. Which appears in?

Mr. OLIVER. In those.

Mr. JENNER. In exhibit—Commission Exhibit No. 1015.

Mr. OLIVER. I may add that at my request Mr. Frank Capell ascertained that this article had actually appeared in the National Zeitung.

Mr. JENNER. I am seeking only the sources, whether confirmed by Mr. Capell or otherwise. I now understand they consisted of Oliver Exhibit No. 4, and the reproduction in whole or in part in German in Commission Exhibit No. 1015.

Mr. OLIVER. Of course, subsequently to the publication of my article, confirmation of a kind became available in the reports from the committee hearings reported by Mr. Henshaw in the National Enquirer.

Mr. JENNER. When you say committee hearings you mean the Commission hearings.

Mr. OLIVER. The Commission hearings; yes.

Mr. JENNER. At the time you made the statement, I take it, you had no other source than the two I have indicated plus confirmation from Mr. Capell that the Zeitung article was published?

Mr. OLIVER. Yes.

Mr. JENNER. Would you identify more particularly the subsequent confirmation reference you just made about Mr. Henshaw?

Mr. OLIVER. The chief of the Washington Bureau of the National Enquirer published in the issue of that newspaper for—

Mr. JENNER. If you have a copy of it I would appreciate having it.

Mr. OLIVER. Yes; for May 17, 1964, this article with which you are doubtless familiar.

Mr. JENNER. The document to which Dr. Oliver has reference, we will mark as Oliver Exhibit No. 5.

(The document referred to was marked Oliver Exhibit No. 5 for identification.)

Mr. JENNER. It is entitled "National Enquirer, the World's Liveliest Newspaper," volume 38, No. 36, May 17, 1964, and as submitted to me it consists of pages 1—numbered 1 and 2, pages 15 and 18 and the reverse of those two pages which happen to be unnumbered. I take it, Doctor, that this issue of the National Enquirer dated May 17, 1964, volume 38, No. 36, was composed of additional pages but that none of those additional pages contains any matter upon which you relied in this connection.

Mr. OLIVER. That is right.

Mr. JENNER. Then you go on to say, "In November, Oswald was sent back to Dallas" and I take it your source of his being sent back by the Communist group or conspiracy to which you have reference, was the same as you testified

you relied upon in connection with your statement of his having been sent to Dallas in the first place?

Mr. OLIVER. Right.

Mr. JENNER. And I continue the quote, "Where a job in a suitably located building had been arranged for him." What did you intend to imply by the statement that a suitably—"where a job in a suitably located building had been arranged for him." Who arranged it and what is the source of your information?

Mr. OLIVER. The statement that this building is suitably located is an inference from the fact that it was, (a) on what proved eventually to be the route of Presidential procession and, (b) that it was one of the very few buildings to be found in any town in which a man on the upper floor could be virtually certain of being unobserved because those upper floors were storage spaces, and the storage spaces so arranged that there would be no clear view from one end of the floor to the other.

Mr. JENNER. I take it the source of your information, that is upon which you base the statement was again newspaper reports or——

Mr. OLIVER. Concerning the building and newspaper reports concerning the arrangement of the job for him, newspaper reports plus reports from Mr. Capell, I believe that is all.

Mr. JENNER. By whom had the job been arranged? What was your source as to that?

Mr. OLIVER. It appears that the intervention which procured the job for him is attributed to a Mrs. Paine. There were——

Mr. JENNER. Mrs. Michael R.; Ruth Paine.

Mr. OLIVER. Ruth Paine; yes. There were some earlier rumors concerning the way in which he obtained the position, but I believe that at the time I wrote those had been superseded by the knowledge that Mrs. Paine had—by the report that Mrs. Paine had given him a very strong recommendation for the job.

Mr. JENNER. What are you advised as to how that took place, Doctor, and when?

Mr. OLIVER. As I recall, it took place 2 or 3 days after Oswald failed to obtain a job in a printing firm whose name does not come to my mind at the moment. He was refused a job there, as I understand it, because he naturally had to present his social security papers which contained his correct name, and the proprietor ascertained that Oswald had Communist connections and, therefore, refused him the position. As I understand it, he got the position in the School Depository, I believe 3 days later.

Mr. JENNER. What is the source of your information?

Mr. OLIVER. Here I believe I rely on Mr. Capell and some confirmation from a number of people in and about Dallas with whom I discussed the matter. However, as I recall, those discussions took place after I wrote the article. I can't be quite certain but I believe they did.

Mr. JENNER. When you refer to Mr. Capell, I take it you are referring to——

Mr. OLIVER. To Mr. Frank Capell.

Mr. JENNER. Mr. Frank Capell, and in particular to releases or bulletins or writings of his which came to your attention as distinguished from personal conferences?

Mr. OLIVER. I would rely primarily on personal conferences. Mr. Capell is the publisher of a periodical called the Herald of Freedom.

Mr. JENNER. The Herald of Freedom?

Mr. OLIVER. Right.

Mr. JENNER. Where is that published?

Mr. OLIVER. In Staten Island in New York.

Mr. JENNER. Are you a subscriber to the Herald of Freedom, did you say?

Mr. OLIVER. Yes; I subscribe to a considerable number of periodicals, in fact too many.

Mr. JENNER. I wouldn't doubt it.

Mr. OLIVER. But Mr. Capell does serve as a research consultant for me.

Mr. JENNER. But at the time you made the statement as published in your article you were relying on what source and what source alone?

Mr. OLIVER. I would not say on any source alone. There were news reports as to how Oswald had obtained his job. There were further the reports from

Mr. Capell and quite possibly some of these conversations with people in Dallas.

Mr. JENNER. When you say people in Dallas, who are they, are they people who had any firsthand knowledge of this?

Mr. OLIVER. Most of them residents of Dallas whom I knew in one way or another in speaking and so on, but none of them had any personal knowledge of the assassination, so far as I know.

Mr. JENNER. My question related to your statement that he was sent in Dallas in November of 1963 where a job in a suitably located building had been arranged for him. Did any of these people purport to have any personal knowledge of that matter?

Mr. OLIVER. Only what they had heard concerning the way in which he obtained his employment; yes.

Mr. JENNER. Their sources, in turn, were newspaper reports and rumors and things of that nature at large in the community.

Mr. OLIVER. I would think so; yes.

Mr. JENNER. Proceeding to page 14, I won't read all of the paragraph, it begins at the bottom but you just glance at it, you refer to the fact that he shot the President from ambush, and then he escaped and you surmised that he would have reached Mexico but for some mischance and the intervention of Officer Tippit, and you conclude that paragraph with a sentence, "He was accordingly liquidated before he could make a complete confession." The implication of that sentence is that he was killed, his death was procured by some evil source, being, I take it, the Communist conspiracy or Communist Party to which you have had reference. Am I correct about that?

Mr. OLIVER. That is what I regard as a reasonable inference from the facts; yes.

Mr. JENNER. It was an inference that you drew.

Mr. OLIVER. Yes.

Mr. JENNER. Now you state in the next sentence, "There are many other significant data but I have stated the essentials." What other significant data are there or were there at the time you made that statement. I might interject as you are pondering that, to a learned man such as you, at the word "data" as you used it meant your sources?

Mr. OLIVER. Yes; facts. It would be difficult for me at the moment to remember and reconstruct completely what was in my mind, the list of data there.

Mr. JENNER. Give me the best; just do the best you can, sir.

Mr. OLIVER. However, I would have particularly taken into consideration as significant data the various indications of contacts between Oswald and Rubenstein, known as Ruby, the man who killed him, prior to the assassination. That would include such matters as a statement made by a, should I say, the announcer or director of a program called "Open End."

Mr. JENNER. Open End?

Mr. OLIVER. Open End, on a local Dallas station—this is not the national program as I understand it—to the effect that he had seen Rubenstein behind the Depository shortly after the assassination. The statement of the owner of a tourist lodging, should we say, in Waco, that a man whom she identified as Oswald had stayed at her place and had been joined by a man whom she identified as Rubenstein. By the statement of a mnemonics expert in Rubenstein's club that he had seen Oswald.

Mr. JENNER. When you say "club," you mean the Carousel Club?

Mr. OLIVER. Carousel Club, actually a striptease joint, that he had seen Oswald in the club shortly before and as he later stated the day before the assassination.

Mr. JENNER. Whom did you say this was that made this report?

Mr. OLIVER. This was a man named Bill Crowe.

Mr. JENNER. Crowe?

Mr. OLIVER. C-r-o-w-e.

Mr. JENNER. Where did you see that report or how did you see it?

Mr. OLIVER. That was reported in the press at the time. And was later confirmed by a special interview with him that was published in the National Enquirer.

Mr. JENNER. Do you have that issue of the Inquirer with you?

Mr. OLIVER. I do not but I believe you will find a reference to it in the issue that I have given you there.

Mr. JENNER. That is Oliver Exhibit No. 5?

Mr. OLIVER. That is correct.

Mr. JENNER. Would you locate it for the record, please?

Mr. OLIVER. Yes; "The Inquirer traced DeMar, and that is the stage name of this man Bill Crowe to an Evansville, Ind. nightclub and questioned him on April 11. He told our reporter that he had seen Oswald sitting in the Carousel on the night of November 21, the night before Oswald assassinated President Kennedy." DeMar said "I gave the FBI a statement about seeing Oswald in the club and that was it. I told them the same thing I am telling you. I have signed it and have heard nothing more about the incident to this day."

Mr. JENNER. Had you read all of the article by, either by, or referring to DeMar from Oliver Exhibit No.—

Mr. OLIVER. Yes; I did finish the excerpt.

Mr. JENNER. What is the number of the Exhibit?

Mr. OLIVER. No. 5. And there were other indications of contacts between Oswald and Rubenstein before the assassination.

Mr. JENNER. And I take it your assumption was at the time you published the article that Rubenstein himself was a Communist agent.

Mr. OLIVER. That seemed a reasonable inference; yes.

Mr. JENNER. And your source of that was the sources you have just indicated?

Mr. OLIVER. Yes; plus, of course, the fact that he either executed or murdered Oswald.

Mr. JENNER. Your statement in the right-hand column that "It required a gunman from outside to do the job," in which you are referring to Rubenstein, was based on what, that is a gunman from outside.

Mr. OLIVER. Well, Rubenstein was not a member of the Dallas police.

Mr. JENNER. I see. Someone other than the member of the Dallas police is what you mean to imply.

Mr. OLIVER. Yes.

Mr. JENNER. You go on in a subsequent paragraph to say, "As was to be expected a few moments after the shot was fired in Dallas the vermin probably in obedience to general or specific orders issued in advance of the event, began to screech out their disease hatred of the American people and, long after the facts were known to everyone, went on mechanically repeating, like defective phonograph records, the same vicious lies about these 'radical right' until fresh orders reached them from headquarters. But the significant fact is that there were enough honest American newsmen, in the United States and abroad, to make it impossible to conceal the conspiracy's connection with the bungled assassination."

"That is very encouraging."

Now, your statement "probably in obedience to general or specific orders issued in advance of the event" I take it that is an inference or an implication you drew from the sources of information already related to us.

Mr. OLIVER. Right, from the rapidity and the concert, both, of these attacks on patriotic Americans.

Mr. JENNER. Yes. This is a conclusion or a deduction on your own part of conclusions you reached from the information sources you have indicated, is that correct, sir?

Mr. OLIVER. That is right. I trust that the Commission will inquire into the phenomenal rapidity with which the special bulletin of The Worker was distributed in New York.

Mr. JENNER. Yes, sir; but I would urge you to drop the future tense.

Mr. OLIVER. Very good. I am glad to see that it has been done.

Mr. JENNER. Then commencing on page 15 you say, "There were two basic"—I am reading the first full paragraph—"There are two basic reasons why the American people were shocked and grieved by the assassination. Neither has anything to do with either the personal character of the victim or the identity of the assassin." Do you find the place?

Mr. OLIVER. Yes.

Mr. JENNER. And then you relate (1) and (2). I take it that (1) and (2) were conclusions and reasoning to which you resorted, is that correct, sir?

Mr. OLIVER. That is right. On the basis, of course, on my knowledge of human history.

Mr. JENNER. Your knowledge of human nature and history and the sources of information you have already told us about?

Mr. OLIVER. That is right.

Mr. JENNER. Were there any others, that is sources?

Mr. OLIVER. No.

Mr. JENNER. Now, we will pass to page 18. There is a column headed "Three Explanations". Do you find it?

Mr. OLIVER. Right.

Mr. JENNER. It reads in part, "Why was Kennedy murdered by the young Bolshevik? With a little imagination it is easy to excogitate numerous explanations that are not absolutely impossible. For example, (a) Oswald was a madman who acted all alone just to get his name in the papers; (b) Oswald was a poor shot who was really trying to kill Governor Connally or Mrs. Kennedy, and hit the President by mistake; (c) the person killed was not Kennedy but a double and the real Kennedy is now a guest aboard a flying saucer, on which he is heroically negotiating with Martians or Saturnians to save The World, cap 'T', cap 'W'. With a little time and a fairly wide reading in romantic fiction anyone can think of 60 or 70 fantasies as good or better than those that I have mentioned."

And the next paragraph:

"On the evidence, however, and with the consideration of human probabilities there are only three explanations that are not preposterous, viz.:"

To what did you refer when you used the reference "On the evidence."?

Mr. OLIVER. On the evidence that I had already stated.

Mr. JENNER. You mean that which you have stated here in the course of the testimony?

Mr. OLIVER. Yes; and also stated in this article. That is, the evidence that has been stated; my testimony has related to the previous parts of this article.

Mr. JENNER. That is pages 13 through 17 and up to this point on page 18?

Mr. OLIVER. Yes.

Mr. JENNER. You were using the term "evidence" in the general or loose sense?

Mr. OLIVER. Yes, not in the sense of sworn testimony as a lawyer would use it.

Mr. JENNER. Yes, not in the sense of primary sources, is that correct?

Mr. OLIVER. Yes. Of course, we run into a curious question, the definition of primary sources. There are many modern historians who would list the newspapers, for example, as primary sources.

Mr. JENNER. Depending on their use, yes.

Mr. OLIVER. As distinct from, let us say, textbooks which would be secondary sources. I am here assuming primary sources means some direct positive evidence other than the printed reports, et cetera.

Mr. JENNER. I don't wish to compromise you, of course. When I use the term "secondary" or "primary" sources I am using it in a sense that a lawyer uses it. Newspaper reports we would generally refer to as secondary sources. We would have to go to the primary source on which the reporter based his article in order to get something in evidence.

If we were trying to prove a general milieu, newspaper accounts as to an atmosphere at a particular time or something of that nature they would be admissible. But as to your sources here, I understand the term secondary sources means newspaper reports, articles or even books on which you relied, as distinguished from personal knowledge.

Mr. OLIVER. That is right. I just wanted to be sure this was no misunderstanding of the term.

Mr. JENNER. I don't wish it misunderstood either. I am not going to read your three suppositions, they are your conclusions rather than statements of fact. I use the word supposition in the sense that I am thinking in terms that they are your conclusions.

Mr. OLIVER. That is right.

Mr. JENNER. Your conclusion first is, and I quote, "Kennedy was executed by the Communist conspiracy because he was planning to turn American."

What was it, your source of that statement?

Mr. OLIVER. Well, as I have indicated; what I called there the comforting hypothesis that one heard so frequently since Kennedy's inauguration, and which one still hears, that he had in his mind a secret plan, that his policies and

the people with whom he surrounded himself in the opening years of his administration were intended to provide a demonstration of their fatuity and probable disloyalty—the fatuity of the measures and the probable disloyalty of the many persons involved; that he was planning to execute, as I said here, a volte-face and make a dramatic gesture and espouse a policy of national independence instead of “interdependence.”

Mr. JENNER. You follow the statement I have quoted, with this statement, Doctor, “For this comforting hypothesis there is no evidence now known.” As of this moment is there any “evidence now known” to you?

Mr. OLIVER. None that is known to me. So far as I know that is still conjecture and what is sometimes called wishful thinking. I may say if there is any evidence of it I should be very happy to hear it.

Mr. JENNER. Point No. 2 appears in the right-hand column, and I read, “That the assassination was the result of one of the rifts that now infrequently occur——”

Mr. OLIVER. Pardon me, “not infrequently.”

Mr. JENNER. Pardon me—“not infrequently occur within the management of the Communist conspiracy whose satraps sometimes liquidate one another without defecting from the conspiracy, such as Persian satraps.”

Would you read the rest of it, you have a couple of words in there I am not——

Mr. OLIVER. “Just as Persian satraps, such as Tissaphernes and Pharnabazus made war on one another without revolting or intending to revolt against the King of Kings.”

Mr. JENNER. This point No. 2 is as in the case of point No. 1, a rationalization on your part.

Mr. OLIVER. I would prefer to call it deduction on my part.

Mr. JENNER. I will accept the amendment.

You then say, “Now, it was generally suspected for some time before the assassination that Khrushchev and Kennedy were planning to stage another show to bamboozle the American suckers just before the election next November.”

What is your source, if any, for the statement that Khrushchev and Kennedy were planning, as you put it, another show?

Mr. OLIVER. The frequent reports of preparations for an invasion of Cuba planned, it would seem, to substitute for Castro a less-well-known Communist.

Mr. JENNER. Here again this was a statement of deduction on your part?

Mr. OLIVER. Yes.

Mr. JENNER. From newspaper accounts and radio broadcasts and general information that was abroad?

Mr. OLIVER. General information, rumors you pick up, what you are told by various analysts and so on.

Mr. JENNER. Would you turn to 3 which appears on page 20? This is your third deduction, I gather:

“That the conspiracy ordered the assassination as part of a systematic preparation for a domestic takeover. If so, the plan, of course, was to place the blame on the ‘rightwing extremists’ (if I may use the Bolshevik’s code word for informed and loyal Americans), and we may be sure that a whole train of “clues” had been carefully planted to lead or point in that direction as soon as Oswald was safe in Mexico.”

What was the source of that statement in your article?

Mr. OLIVER. This again is deduction.

Mr. JENNER. From the sources you have already related in your testimony?

Mr. OLIVER. Yes.

Mr. JENNER. You then in the right-hand column proceed to discuss “two objections to this explanation” and I interpolate, “but neither is cogent”. You continue on then with deduction again, do you, sir?

Mr. OLIVER. That is right.

Mr. JENNER. Based on the same sources?

Mr. OLIVER. Yes.

Mr. JENNER. I notice that three-quarters of the way down in the right-hand column on page 20 you state, “For that matter, a potentially serious and quite unnecessary mistake was made when the Communist Party’s official publication,

The Worker, yelled for the appointment of Earl Warren to investigate 'the assassination' before (italicized) the appointment was made, or at least, before the appointment was disclosed to the public.

I take it that statement was based on some news report?

Mr. OLIVER. On the actual publication in The Worker of this article calling for the appointment of Warren.

Mr. JENNER. I know we have that.

Mr. OLIVER. I am sure you must have. It is a well-known publication.

Mr. JENNER. Yes. But the statement I have just read was based upon that issue of The Worker to which you have now made reference.

Mr. OLIVER. That is right.

Mr. JENNER. You made a deduction from that fact of publication?

Mr. OLIVER. That is right.

Mr. JENNER. Proceed to page 21. The lower right-hand corner of page 21 commences a paragraph the first few words of which or the first sentence of which reads "Careful observers were aware of the feeling of crisis in conspiratorial circles before the assassination."

On what was that statement based, or to be more accurate what was the source from which you made that deduction, if it is one.

Mr. OLIVER. My conversations with fairly numerous observers of the conspiracy and its operations in this country.

Mr. JENNER. Are you using "conspiracy" in a general sense rather than a particular conspiracy directed toward this event?

Mr. OLIVER. The Communist conspiracy as a whole; yes.

Mr. JENNER. You then go on to state what appears to be a statement of fact or you represent it to be.

"In June of 1963 an experienced American military man made a careful analysis of the situation at that time, and in his highly confidential report concluded, on the basis of indications in Communist and crypto Communist sources, that the conspiracy's schedule called for a major incident to create national shock before Thanksgiving."

Who is that experienced American military man to whom you had reference? (Conferring with counsel.)

Mr. OLIVER. The observer mentioned there is Col. Chesley Clark, retired.

Mr. JENNER. Clark.

Mr. OLIVER. C-l-a-r-k, of the American Air Force.

Mr. JENNER. Did he publish—this is a new name to me—did he publish something on which you rely in making that statement?

Mr. OLIVER. This he told me not with a pledge that it was confidential, but with the implication that I would not disclose his name in a publication. I see no bar to disclosing it for the purpose of these hearings. If I may say, his estimates were made entirely from, what should we say, experience in psychological warfare and in reading the indications in the sequence of events and the form the propaganda was taking, and that the obviously had not, so far as I know, no inside information.

Mr. JENNER. This conversation or conversations that you had had with Colonel Clark, did it or they occur between the time of the assassination and the time of the publication of your article?

Mr. OLIVER. No, before the assassination, I am sure. I would say perhaps—it is hard to recollect but I would say a month or 6 weeks before.

Mr. JENNER. I take it, I don't even like to say this because I don't want you to take it wrong, certainly there was nothing in Colonel Clark's statement to you, sir, that carried any implication of any anticipation of a possible assassination of President Kennedy?

Mr. OLIVER. No. Of a, however—it did astutely anticipate some event that would create a national shock.

Mr. JENNER. When I say I hesitate to say it but I know what you would have done, I think I know what you would have done, had there been any implication, you would have alarmed the authorities.

Mr. OLIVER. There was no——

Mr. JENNER. I am correct about that, am I not?

Mr. OLIVER. You are correct about that. The nature of the event that would create this shock was, of course, necessarily speculative.

Mr. JENNER. All right. Then you discuss the feeling of men like you, that there was some crisis about to take place, and this feeling was communicated to you by men like Colonel Clark and others?

Mr. OLIVER. Yes.

Mr. JENNER. Who felt that the Communist conspiracy as you call it had reached a point at which it needed some shocking event.

Mr. OLIVER. That is right.

Mr. JENNER. Or as you say at the bottom of page 21 and the top of page 22, "The conspiracy's schedule called for a major incident to create a national shock before Thanksgiving."

Mr. OLIVER. Yes.

Mr. JENNER. At the bottom of page 22, right-hand column, you say: "In summary then, there is not a single indication that the conspiracy did not plan and carry out the assassination of President Kennedy. On the other hand, there is evidence which very strongly suggests that it did."

Would you please relate what evidence there was at the time you published the article which "very strongly suggests that it did."

Mr. OLIVER. You begin with the fact that the assassin was a Communist and added the strong probability, in my judgment, that he must have had accomplices, very, very probably including Rubenstein.

Then the results which would have occurred but for the mischance of Oswald's apprehension would have been very strongly in their favor. It is the old doctrine of Sui Bono. In substance the considerations that I have stated in the earlier part of the article indicating that (a) there undoubtedly was Communist participation and (b) that the act was to their advantage.

Mr. JENNER. Here again then I take it that your use of the word "evidence" in the portion I have quoted from your paper, at the bottom of the right-hand column of page 22 is the use of the word in the loose sense or the broad sense.

Mr. OLIVER. That is right.

Mr. JENNER. The broad sense meaning deductions from the sources you have indicated in your testimony?

Mr. OLIVER. That is right.

Mr. JENNER. Would you glance at page 23 with a view in mind of my inquiring of you as to whether the statements made on that page likewise are deductions based on the sources you have indicated heretofore in your testimony?

Mr. OLIVER. That is right.

Mr. JENNER. Is that likewise true of page 24?

Mr. OLIVER. Yes.

Mr. JENNER. At the bottom of page 24, the right-hand column you say:

"The first expedient was primarily defensive. In a hasty and thus far successful attempt to thwart an investigation by legally constituted authorities, the Senate Subcommittee on Internal Security and the attorney general of the State of Texas, both of whom had already announced their determination to conduct an impartial inquiry, an illegal and unconstitutional 'special commission' was improvised with the obvious hope that it could be turned into a Soviet-style Kangaroo court. The best known members of this packed 'commission'," and then you give some vignettes of the various members of the commission.

I am not seeking to probe into your thinking on the subject. You have a right to think whatever you do think, and the right of free speech and publication permits you to publish. As I told Mr. Unger yesterday I was seeking only sources.

What is the source of that statement?

Mr. UNGER. Pardon me, just a minute for interjecting but what relevancy does that have on the inquiry into the death of either President Kennedy or—

Mr. JENNER. It has this relevancy. The doctor is implying in the statement I have quoted that the creation of the Commission was part of a conspiracy, as he puts it, to prevent effective investigation into the assassination of the President by the Senate Subcommittee on Internal Security and the attorney general of the State of Texas, with the appointment of a commission.

Mr. OLIVER. Let me confer for just a second.

(Conferring with counsel.)

Mr. UNGER. We think under the circumstances that that is beyond the right of the Commission to inquire and beyond the scope of this hearing and, therefore, the witness on my recommendation declines to answer.

Mr. JENNER. All right. Was this statement other than deduction on your part?

Mr. UNGER. Well, the same objection. I think if you were to just go through a list of other than you would eventually arrive at the same objectionable conclusion. So we object to that.

Mr. JENNER. All right. What were your sources upon which you based this statement?

Mr. UNGER. Same objection.

Mr. JENNER. Did you have any sources other than the sources you have indicated in your testimony up to the moment?

Mr. UNGER. Same objection.

Mr. JENNER. Was the paragraph I read deduction only or did you have some source on which you relied.

Mr. UNGER. The same objection. Let me say for the record that, despite the hurt feelings of the members of the Commission, I don't believe they have a proper right to inquire into attacks that were made upon them. I can't see any relevancy at all to that.

Mr. JENNER. I do wish to say for the record that the Commission, no member of the Commission, has any hurt feelings whatsoever with respect to this article or any statement in it.

On page 26 you state:

"One writer has recently suggested that it was the CIA that arranged the assassination of President Kennedy; I know of no evidence to support that opinion. But obviously Mr. Dulles' CIA is open to suspicion."

Who is the writer to which you have reference?

Mr. OLIVER (conferring with counsel). I do not recall. I wrote this, of course, in December, I wouldn't want to recall now who said it. I have the impression that this was in some one of the innumerable magazine articles about the assassination of the President but I would not want to say which one.

Mr. JENNER. All right. Did I gather from your response that your article was written in December of 1963?

Mr. OLIVER. It was—I did most of the work in that during the Christmas vacation which, of course, would run into January.

Mr. JENNER. Well, except for the runover into January the article was prepared by you in December, in the Christmas holiday period, school holiday period which commences, well, usually around December 20 and runs over into New Year's Day?

Mr. OLIVER. Yes; I very unwillingly sacrificed my holiday which I needed for a quite different purpose. I do not exclude the possibility that I might possibly have made some changes by telephone, but I do not recall any. I wouldn't want to swear that I did not, however.

Mr. JENNER. I take it then that after you prepared the article during the Christmas holidays you submitted it to American Opinion for publication?

Mr. OLIVER. Yes; sent it in.

Mr. JENNER. You may have made some telephone changes or editorial modifications?

Mr. OLIVER. I would not want to swear that I had not, I do do that sometimes.

Mr. JENNER. But they were not of a character that you can recall at the moment?

Mr. OLIVER. No.

Mr. JENNER. Commencing in the right-hand column on page 26 you relate a series of numbered paragraphs, 1, 2, 3, 4, 5, 6, 7, to the conclusion of the article on page 28. Do you have those?

Mr. OLIVER. Yes.

Mr. JENNER. Are those deductions rather than statements based on newspaper or other sources of the nature and character you have already related?

Mr. OLIVER (conferring with counsel). Those are deductions.

Mr. JENNER. May I call your attention to the footnote on page 27 which reads: "I understand that full report on this and other known activities of Rubenstein will probably appear in a future issue of the Herald of Freedom, Box 333, Staten Island 1, N.Y." Do we have that?

Mr. OLIVER. That is the Herald of Freedom to which I have already referred as being a publication edited by Mr. Frank Capell.

Mr. JENNER. Do you happen to have this particular issue with you?

Mr. OLIVER. I believe I do. Yes; the issue, of course, was still in the future at the time that I wrote—

Mr. JENNER. You indicate that clearly in your article.

Mr. OLIVER. And consequently the report is not so full as I had perhaps anticipated.

Mr. JENNER. I take it when you say the issue was in the future that the essential aspects of the issue had been communicated to you by Mr. Capell?

Mr. OLIVER. That is right. You will find the references to Rubenstein on, I believe, pages 2 and 3 rather than the first page, if I recall correctly.

Mr. JENNER. All right. We will mark as Oliver Exhibit No. 6, an issue of the Herald of Freedom, volume 4, No. 12, January 17, 1964, and the reference, Dr. Oliver, that you have, would you locate that for the record, please?

(The document referred to was marked Oliver Exhibit No. 6 for identification.)

Mr. OLIVER. The reference to Rubenstein begins at the bottom of the second column on page 2, and runs into the first column on page 3, and then there are some addenda which are more or less pertinent to the subject although they do not mention Rubenstein. I had anticipated a considerably fuller report of Rubenstein's activities.

Mr. JENNER. Is the issue of the Herald of Freedom, volume 4, No. 12, January 17, 1964, now marked Oliver Exhibit No. 6, one of the sources upon which you relied in preparing your article, and one of the sources upon which you have relied in making your subsequent talks?

Mr. OLIVER. No; the issue itself was not published until after I wrote the article. The information contained in it as communicated to me by Mr. Capell, with some additions, was the information on which I relied when I wrote that footnote, and paragraph to which it is appended.

Mr. JENNER. You are a lecturer, are you not?

Mr. OLIVER. Yes.

Mr. JENNER. And you have—you have journeyed about the country during which you have made lectures dealing with the subject matter of your article in American Opinion and such additional matters as have come to your attention since then?

Mr. OLIVER. Yes.

Mr. JENNER. In making and giving those lectures, have you relied on Oliver Exhibit No. 6 as one of your sources?

Mr. OLIVER. Yes.

Mr. JENNER. What other documents have you brought with you in addition to those you have produced or identified upon which you relied in preparing your article in American Opinion?

Mr. OLIVER. Oh, I have a miscellaneous collection of such things as I could find on short notice.

Mr. JENNER. Why don't you relate them into the record.

Mr. OLIVER. We are still on the subject of the article?

Mr. JENNER. Yes, sir.

Mr. OLIVER. I have here a clipping from the Rocky Mountain News of this month noting that the CIA has been found giving money to the J. M. Kaplan fund. And many clippings like that. It would take—I have photostats, for example, from reports of the Dies committee identifying Rubenstein, one or more persons named Jacob or Jack Rubenstein, as active in Communist organizations. The most significant one, of course, is the one in which a Jack Rubenstein appears as an organizer in one of the Communist youth movements. If this man has given his age correctly he would have been 19 at the time which would make him just right for a youth movement.

Mr. JENNER. Are you associating the Jack Rubenstein mentioned in that

article with the Jack Rubenstein who is now charged and been found guilty of the murder of Oswald?

Mr. OLIVER. I am using that as the basis for my contention that that should be investigated.

Mr. JENNER. In view of that could I see the article, please? I think we had probably better identify it.

Mr. UNGER. Let me say a copy of Martin Dies' article is in the same issue of American Opinion for March that you have already used as an Exhibit.

Mr. JENNER. Would you identify the page number?

Mr. OLIVER. Let me look at it.

Mr. JENNER. Is that Oliver Exhibit No. 1 you are looking at?

Mr. OLIVER. Oliver Exhibit No. 1 contains on pages 1 through 10 an article by Congressman Martin Dies on the assassination in which he raised the question of the identity of Jacob or Jack Rubenstein.

Mr. JENNER. Was that article available to you at the time you wrote your article which was published in the same issue? That is part II.

Mr. OLIVER. Not the finished typewritten text of the article but the contents of it; yes.

Mr. UNGER. Excuse me, can I interrupt for just a minute?

(Discussion off the record.)

Mr. JENNER. Referring to your article, did you rely on any source that we may describe as being a confidential source as distinguished from public sources, that is, various published matters?

Mr. OLIVER. In this entire article?

Mr. JENNER. Yes, sir.

Mr. OLIVER. No; except as I have said, I had the estimate made by Colonel Clark which could be regarded as semiconfidential.

Mr. JENNER. And you have so indicated already.

Mr. OLIVER. Yes.

Mr. JENNER. Do you recall being interviewed either by telephone or personally by an agent of the FBI on the 2d of September, 1964, that is last week, I guess, wasn't it, or this week?

Mr. OLIVER. Yes.

Mr. JENNER. Last week.

Mr. OLIVER. September what?

Mr. JENNER. September 2.

Mr. OLIVER. That would be right; yes.

Mr. JENNER. It is reported to us you stated and I will quote "that all of" I interpolate the pronouns "that all of his material used in his articles was obtained by him from public sources and he added that he had no confidential sources."

Mr. OLIVER. I believe that I was referring specifically to the speech concerning which they inquired and not to the articles.

Mr. JENNER. That was the speech that you made on the evening of August 28 at the Santa Ana Valley High School?

Mr. OLIVER. That is right.

Mr. JENNER. Do I properly infer from that response of yours that you had sources, one or more, for your article, that was or were other than public sources—

Mr. OLIVER. No; I merely am trying to keep the record clear by stating the FBI people, I believe, spoke to me only about the speech.

Mr. JENNER. I see. This report of the FBI, if directed to your article in American Opinion would be equally applicable to it?

Mr. OLIVER. Yes. With, of course, the exceptions that I have already mentioned, Colonel Clark, reports from—

Mr. JENNER. With whatever exceptions you have already placed on record in this examination.

Mr. OLIVER. That is right.

Mr. JENNER. The report of your Santa Ana Valley High School speech on the evening of August 28, 1964, at least as reported in the Washington Post, on page 19, the issue dated August 30, 1964, purports to quote you as having said, "I don't know whether Oswald was paid by the CIA or by the Soviet secret

police—and it is just a matter of bookkeeping anyway.” Did you make that statement in the course of your speech to the Santa Ana Valley High School audience?

Mr. OLIVER. Not in that form, and not in all probability in the context in which I am quoted there.

In the speech I referred to a book which I believe is on your desk written by a Mr. Joesten, Joachim Joesten; entitled “Oswald: Assassin or Fall Guy?” in which, in the course of many arguments intended to prove or suggest that Oswald was “framed” by wicked American conservatives, he makes much of Oswald’s supposed connection with the CIA. In my speech I made the point that if it were established that Oswald was in the employ of the CIA that would not by any means exclude the possibility that he was also in the employ of the Soviet and that therefore the argument in the book is completely fallacious. I think I can tell you precisely what I did say.

Mr. JENNER. Thank you, sir. By the way, do you have a copy of that speech? I spoke to your counsel and he thought you might have one.

Mr. OLIVER. I have my one copy and I may say that this speech consists of 39 and a little more typed pages including 2 or 3 inserts here and there—

Mr. JENNER. You might find that section dealing with this precise subject.

Mr. OLIVER. And that the first 27 pages deal with questions of the impression produced on the public mind by shownmanship.

Mr. JENNER. Excuse me, what do you mean by that, Doctor?

Mr. OLIVER. I mean the ease with which many people confuse actors with the roles they play and so carry from a performance an impression that it has a reality that it did not have.

Actually, I start out by pointing out that whenever anybody goes into a theater to see Hamlet for example, he more or less consciously tells himself that he is going into that theater to undergo an illusion. He knows perfectly well the actors are not Hamlet, and the other characters are feigned—that in real life the actors may not resemble the characters they impersonate at all, and so on.

And then I took up the whole question of the socialist mentality as exhibited in history. I made some comments on the letters of oburgation that I had received, for I was still illustrating that mentality, and I spoke briefly about the general suppositions of the people called “liberal intellectuals.” I did not begin to discuss the facts of the assassination until late on page 27.

In other words, more than two-thirds of my speech dealt with these general—of my pitch, dealt with these general considerations.

Now, the particular passage from which that quotation was taken begins on page 26:

Mr. JENNER. Would you read it into the record, please?

Mr. OLIVER. This entire passage?

Mr. JENNER. Is it very long?

Mr. OLIVER. It is approximately three typewritten pages.

Mr. JENNER. Why don’t you go ahead and read it.

Mr. OLIVER. “The second propaganda line is the one that I mentioned in the February issue of American Opinion when I was not certain that the Bolsheviks would dare to use the United States as they were then using it elsewhere in the world. You will find that line set forth in a book by one Joachim Joesten, who claims to be a Dane who migrated to Soviet Russia and later to the United States. It is entitled ‘Oswald: Assassin or Fall Guy?’ And it is published by a publishing house headed by Aldo Marzani whom you may know better under one of his aliases as Tony Wales or Whales.

“He was identified as a member of the Communist Party when he was employed in our super secret ‘intelligence’ organization, the OSS, and in the State Department. Of course there was no conflict of interest there. I can’t remember whether it was under his alias or under his own name that he served a term in prison for perjury. So you see the book comes from an appropriate source. If you have any doubts remaining just note the same firm also publishes puke on Americans excreted by one Stanley or Sammy Steiner, writing under the alias of Mike Newberry. Stanley also writes for the Communist Worker. The book ‘Oswald: An Assassin or Fall Guy’ contains a few preposterous fantasies but for the most

part it operates by taking the facts that are publicly known and simply turning them upside down. That way you see they will look just right to liberal intellectuals."

Mr. JENNER. By the way, he uses—would he be classified as a liberal by most people or does he claim to be?

Mr. OLIVER. I think he tries to give that——

Mr. JENNER. I am curious now.

Mr. OLIVER. My opinion is that of the people who read that book perhaps 75 percent will say to themselves this man is a great liberal, a believer in civil rights, et cetera. And a champion of the underdog.

"It starts, for example, with the strange detour in the Presidential procession that made Kennedy an easy mark for a marksman in the Book Depository—to which, I believe, I was the first to draw attention. But the author argues that a sweet little Communist like Oswald couldn't possibly have known about it, much less had the target set up for him. Poor little fellow. The detour must have been arranged so that the nasty rightwing extremists could frame him for the assassination.

"And the book makes much of the possible activities of our Central Intelligence Agency. This is designed for readers who have memories so poor that they will not recall the long list of events from the fake invasion of Cuba known as Operation Judas because it betrayed the anti-Communist Cubans into the hands of Castro, to the recent assassinations in Vietnam in which our Central Intelligence Agency with its army of 17 to 40 thousand faceless agents and the billions of dollars with which you taxpayers supply it every year, has evidently done the work of the Soviet Secret Police. It is designed for readers who will not remember that a defector from the Soviet Secret Police has sworn that his colleagues in the Central Intelligence Agency used your money directly to subsidize, (a) the Soviet Secret Police; (b) the official Communist Party in Italy; and (c) the official Communist Party in the United States."

I should interpolate that this is obviously a reference to Lieutenant Colonel Goleniewski.

Mr. JENNER. Whom you have heretofore identified?

Mr. OLIVER. Pardon me?

Mr. JENNER. Whom you have heretofore identified, or at least you made reference to him earlier in the afternoon?

Mr. OLIVER. I do not recall that.

"On the contrary, the author of this incredible hogwash like the authors of some other books recently published expects you to believe that the CIA is a rightwing organization probably run by the John Birch Society. I do not know whether Oswald was paid by the CIA, but I hear that there was testimony before the Warren Commission that he was. There would be nothing improbable in that. The CIA worked for Castro in Cuba before he came to power."

And I will interpolate here that that is a reference primarily to the testimony of Ambassador Earl Smith before the Senate Internal Security Subcommittee, and also a reference to the testimony of the elected president of Cuba who was driven from Cuba by Castro, and there are some further indications of some significance in at least the second edition of Nathaniel Weyl's "Red Star Over Cuba," and still further indications in a recent book that apologizes for the CIA's fiasco in Cuba and at the same time criticizes them rather severely. I am sorry, the names do not come to my mind at the moment; the authors are two newsmen, I believe, both of them with New York newspapers.

Possibly one from the Times and one from the Herald Tribune. It is just a vague impression.

"It is believed to have instigated and financed the Communist smear against General Walker." I interpolate here and refer to the——

Mr. JENNER. When you say interpolate, you mean the source from which——

Mr. OLIVER. Yes, I am now interpolating from my speech, text of my speech, to say in making that statement I was relying on the considerations that the Central Intelligence Agency may be operating Inter-national Media, the publishers of the "Oversexed Weekly," as it is generally called, "Overseas Weekly" as it appears on the masthead, the three editions of Drum in Africa, and some other publications. That is partly based on the identity of a stockholder and officer of

this supposed corporation with an officer in the fictitious corporation that was set up to cover Radio Swan.

Mr. JENNER. Cover what?

Mr. OLIVER. Radio Swan, which has since been admitted to be a CIA operation.

I then continue, "They contrived and financed the assassination of anti-Communists in other parts of the world, notably General Trujillo in the Dominican Republic."

That is based—I interpolate now,—that is based primarily on the assertions of General Espallat in his book "Trujillo, the Last of the Caesars."

I may say at the time of the assassination of General Trujillo I referred from the facts that the only people who could have arranged it were either the CIA or the Soviet secret police.

Then I continue. "And there seems to be no good reason for supposing that it could not use your money to carry out assassinations in the Communist interest in the country."

Mr. JENNER. The "it" is what, CIA?

Mr. OLIVER. CIA.

Mr. JENNER. Is that a conclusion you reach or is that based—what is your source of that statement?

Mr. OLIVER. Well, that is a conclusion that I reach primarily on the grounds that if you carry out assassinations abroad you may carry them out at home, and secondarily on the suspicions which obviously can be no more than suspicions, concerning the death of Povl Bang-Jensen.

Mr. JENNER. I will ask you who is he, in my ignorance I will ask you if you can identify him?

Mr. OLIVER. He is the member of the United Nations staff who attempted to communicate to the Central Intelligence Agency the names of certain Soviet agents in the United Nations who were, (A) willing to defect, in fact eager to do that; and (B) willing to identify agents of the Soviet Secret Police in the State Department and CIA. He is reported to have communicated his information in confidence to an officer of the CIA and very shortly thereafter he met his death in what was called a suicide although most improbably such. The CIA is reported to have been shadowing him at the time of his death.

On those principal data, my statement here is an inference. If they can assassinate General Trujillo in the Dominican Republic there is nothing impossible about their doing something similar on American soil.

I continued. "But what Joesten's poisonous book is trying to tell its readers—and I warn you this is the kind of topsy turvy propaganda is certain to convince liberal intellectuals is that Kennedy was really assassinated by the wicked Fascist police of Dallas, Texas, who then framed sweet little Oswald to conceal their crime. And the author all but says outright that those awful 'Fascist' police are agents of the John Birch Society and General Walker." I think that is sufficient.

Mr. JENNER. As I recall, I am not attempting to quote this, all I did was make a cryptic note, somewhere, in what you have just read the substance is "But I hear that he was" that is, that he was paid by the CIA. Would you find that spot in your quote?

Mr. OLIVER. The exact quotation is, "I do not know whether Oswald was paid by the CIA but I hear there was testimony before the Warren Commission that he was."

Mr. JENNER. And from what source, on what source did you base the statement that you heard that there was testimony before the Warren Commission that he was?

Mr. OLIVER. Principally, although not exclusively, an article, again by Henshaw in the National Enquirer at about the time that Earl Warren made his statement that the findings would not be released during the lifetime of the people then living.

Mr. JENNER. If you will pardon my correcting you, even that newspaper account didn't say that the Chief Justice said that the findings of the Commission would not be released.

Mr. OLIVER. That the "full truth" wasn't that it?

Mr. JENNER. I think not. It will be quoted in the report. This occurred a long time ago, and I have forgotten just what it was.

Mr. OLIVER. Yes, this is in the National Enquirer for March 3, 1964.

Mr. JENNER. Could I identify that and then return it to you when we have made a copy?

That is either a photostat or a Xerox reprint that is marked Oliver Exhibit No. 7. It is entitled—The particular article by John Henshaw, "Washington Pipeline by John Henshaw," and then the heading is "Moscow plotted JFK assassination—U.S. Government financed Oswald," place-lined Washington, D.C.

Does that summarily describe the exhibit?

Mr. OLIVER. Right.

Mr. JENNER. And that is your source?

Mr. OLIVER. That is my primary source, and I believe the first source; the statement picked up elsewhere in the press. Of course this is supported.

Mr. JENNER. Is what, sir?

Mr. OLIVER. This is supported by the longer article by Mr. Henshaw that has already been placed in the record as Exhibit No. 5.

Mr. JENNER. Oliver Exhibit No. 5?

Mr. OLIVER. Wherein it is stated that the reason given either as an explicit statement or by implication for intervening to prevent the Dallas police from arresting Rubenstein and Oswald for the attempted murder of General Walker was that they were agents of the Central Intelligence Agency—which you see confirms the statement in the earlier report.

Mr. JENNER. Now, the news item to which I referred, that is the Washington Post of August 30, 1964, page 19, also states that "Oliver also said that under orders from Secretary of Defense Robert S. McNamara the Army 'began to rehearse for the funeral more than a week before the funeral.' " Would you find that, please, in your speech in which you made reference to that subject?

Mr. OLIVER. I may say that is typical of the kind of so-called journalism practiced by the Washington Post and similar publications. In the course of my speech—

Mr. JENNER. Would you identify the pages if they are numbered?

Mr. OLIVER. On typewritten page, beginning on typewritten page 12, going through to approximately the middle of page 16 and including a little insert 13-A, I discussed the effect of theatrical performances on the human mind, and the way in which illusions may be carried over from the performance to reality. I begin by using a performance of Hamlet as an illustration, analyzing what happens there. In the following paragraph I elaborate on the point that "A great many naive and unreflective people do confuse actors with the roles they play in the performances."

And I illustrate that with a story which I hope was amusing about an acquaintance of mine who witnessed a brawl in a tavern between two men, one of whom was convinced that an actress who played effectively the role of the pure and virginal heroine must be pure and virginal herself.

I then went on and using a slightly different illustration but developing the same point, I mentioned a television show about a character called Superman, and what was told to me by a vice president of the corporation that wrote and produced the show, to wit, that although this being was represented as a person who could leap a hundred feet in the air, and could bend a railroad rail with his hands, nevertheless many of the viewers thought that he was real and wrote letters to him asking for his help.

And I then went on.

Mr. JENNER. Shades of Orson Welles.

Mr. OLIVER. Except that I believe these letterwriters were not financed so far as I know.

Mr. JENNER. I did not mean to imply that.

Mr. OLIVER. I then went on "As another example of the ease with which illusions are induced, let us take one detail in the really spectacular show that was put on at the funeral of President Kennedy. That was a mass performance which for sheer technical virtuosity certainly deserves to rank with such spectacles in the cinema as Cleopatra and Ben Hur. Now, I made it a point to talk to many people who had seen that spectacle on television, and I

found that all of them very firmly believed that the caparisoned horse named 'Black Jack,' in the procession belonged to Mrs. Kennedy and was her favorite mount. That is entirely false.

"As most of you may not know for the national press never reported it, the headquarters detachment of our Army under orders from McNamara's office began to rehearse for the funeral more than a week before the assassination, and 'Black Jack' was an old army horse who was selected at the time of the first rehearsal for the role that he played in the real performance. Incidentally, he was a horse who had never been broken to the saddle and consequently never ridden by anyone. That is what was specifically said by the commander of that detachment when he told his hometown newspaper about the rehearsals." Perhaps I should add that I did not hear of that statement for several days and by the time that I tried to reach him by telephone the commander had been transferred to somewhere in Germany. I mention "Black Jack" and the impression created on television merely as an example of the attention to detail that makes great and impressive performances."

In other words, in my speech I am pointing out that the impression conveyed to these many viewers whom I interviewed, and so far as I know, to all viewers; was that this horse was the horse of Mrs. Kennedy, whereas it was an army horse.

Mr. JENNER. Upon what source did you rely in making the statement that the special detachment to which you refer began to rehearse for the funeral a week before the assassination?

Mr. OLIVER. I relied primarily on the interview given by Captain Cloy to the Jackson, Miss., Clarion-Ledger.

Mr. JENNER. Do you have a copy of that?

Mr. OLIVER. On the 21st of February, 1964.

Mr. JENNER. May I mark it? We will have an exhibit number on it.

I have marked as Oliver Exhibit No. 8 a photostatic reprint of an article headlined "A lot to remember, McComb Army officer big part in Kennedy funeral" by Kenneth Tolliver, and in the center is written, I assume, in—is that your handwriting, the black lettering?

Mr. OLIVER. Mrs. Oliver's, I believe, which picks up the words "Clarion-Ledger" from the next reproduction.

Mr. JENNER. For purposes of reproduction, it reads, "Jackson, Mississippi, Clarion-Ledger, February 21, 1964." I take it, sir, that the clipping, I guess this is an actual clipping pasted on here, the upper portion, in any event is either the clipping or a reproduction of it upon which you relied?

(The document referred to was marked Oliver Exhibit No. 8 for identification.)

Mr. OLIVER. This is a reproduction of the clipping.

Mr. JENNER. Would you show me where in that clipping it says in any respect whatsoever that Captain Cloy made the statement that he and his unit were rehearsing for the funeral of President Kennedy a week in advance of the assassination?

Mr. OLIVER. My first knowledge of the rehearsal came from a letter that I received from someone in Arlington, or Alexandria, informing me that the Army had rehearsed the funeral more than a week before the funeral, I think, I cannot be sure.

Mr. JENNER. The funeral was on Monday, the 25th of November.

Mr. OLIVER. And I would not say that I discounted the letter. I appreciated it, as I appreciate all efforts to give me information. On the other hand, I did not follow it up partly because I was very busy, and partly because I thought it entirely possible that what had been witnessed was some other Army exercise that could easily have been mistaken for a rehearsal of the funeral.

Consequently, I put it aside, and I am afraid I really dropped it from my mind until I received this clipping from the Clarion-Ledger a number of days after it had been published. I wouldn't want to say how many now.

Mr. JENNER. But you had it prior to your speech at the Santa Ana Valley High School?

Mr. OLIVER. Oh, yes; quite some time before that.

Mr. JENNER. And before you prepared the speech, part of which you have read?

Mr. OLIVER. That is right. And that confirmed the statement that a funeral had been rehearsed.

Mr. JENNER. Yes; but not President Kennedy's.

Mr. OLIVER. But it turned out to be that.

Mr. JENNER. The only point I am making, Doctor, is that you will notice in the article that what Captain Cloy says is not what you state in your speech he said, but rather that before the assassination his special unit had been rehearsing for the anticipated possible funeral of President Hoover who was then ill.

Mr. OLIVER. That is right. He said, "We were in a state of readiness and had just finished a funeral rehearsal because there was grave concern for President Hoover's health".

Mr. JENNER. That is not rehearsal for a funeral of President Kennedy a week in advance either of the funeral or of the assassination, is it?

Mr. OLIVER. Capt. Richard C. Cloy states that the conduct of the President's funeral is in accordance with orders that cover 160 pages. He implies——

Mr. JENNER. Those are standing orders.

Mr. OLIVER. Presumably, and he implies that all funerals are conducted in the same way. And he goes on to speak of difficulties that his men encountered and how they performed, and that although his command was ready for the state funeral, the actual site of the burial was not known until the day before the ceremony, and so on. The point I was making was that the show was a rehearsed show, and I do not believe that I say that on——

Mr. JENNER. I think if you will read it again, sir, there is a clear implication, if not express statement on your part, that his unit began to rehearse for the funeral a week ahead. Would you read that sentence again, or that series of clauses?

Mr. OLIVER. Yes; "The headquarters detachment of our Army under orders from McNamara's office began to rehearse for the funeral more than a week before the assassination."

Mr. JENNER. Yes; now, that clear implication is that the unit was rehearsing for President Kennedy's funeral because they knew there was going to be a funeral.

Mr. OLIVER. Oh, no; that is not the implication. I certainly would not imply that the unit knew it, because Cloy states specifically that they did not. They were told that it was a rehearsal for the anticipated demise of President Hoover.

Mr. JENNER. Is it in your implication then, sir, in your speech, that somebody else or some agency, somebody else connected with the Government of the United States or some agency of the Government of the United States, including the Army, Navy, Air Corps, Marines, wherever they may be, anticipated the assassination of the President a week in advance and directed the unit to begin preparing for the funeral?

Mr. OLIVER. No; that is not my implication. If you raise a question it would be an interesting one for you to investigate; yes.

Mr. JENNER. Well, we wish to investigate anything that you readily seek to imply, and to some, at least, and frankly to me, that sentence that you have just read carries the clear implication that President Kennedy's assassination was anticipated by somebody in the Government service or Government-connected, and the unit, Captain Cloy's unit was told to begin rehearsing for a funeral, the pretext being the funeral or possible funeral of President Hoover, whereas those who directed it had specifically in mind the assassination of President Kennedy, is that what you intended to imply?

Mr. OLIVER. That is not what I intended to imply in this passage here.

But it is certainly an inference that could be drawn from the facts; yes, I mean it is a possibility.

Mr. JENNER. In fairness to yourself and others possibly involved, Doctor, what did you intend to imply?

Mr. OLIVER. I was primarily concerned in making the point that the viewers suffered an illusion. That they had assumed this horse belonged to Mrs. Kennedy, whereas he certainly did not. I further intended to imply there was no conceivable connection between Mrs. Kennedy and the horse, since she can't ever have ridden it if nobody rode it.

Mr. JENNER. Did you intend to imply by that statement that the assassination

of President Kennedy was anticipated and that the practice instructions issued to Captain Cloy and his unit were in anticipation of, in fact, not the possible death of Hoover but the assassination of the President of the United States?

Mr. OLIVER. That is not what I intended to imply. I did not intend to exclude that possibility, of course.

Mr. JENNER. And the source and sole source of that sentence which you have now read from your speech was the newspaper clipping from the Jackson, Miss., Clarion-Ledger, of February 21, 1964, now identified as Oliver Exhibit No. 8?

Mr. OLIVER. Except insofar as concerns the actual date. Cloy, you see, says merely that they had just finished a rehearsal. The date as being a week before either the funeral or the assassination, I got from this letter.

Mr. JENNER. What letter was that?

Mr. OLIVER. This was a letter that I had received some time in February, probably early in February.

Mr. JENNER. But the line in your speech as of last week was based on the material contained in Oliver Exhibit No. 8?

Mr. OLIVER. That letter and Oliver No. 8.

Mr. JENNER. Do you have the letter?

Mr. OLIVER. No; I do not.

Mr. JENNER. And the letter was from whom?

Mr. OLIVER. I do not recall the name.

Mr. JENNER. Do you have the letter on which you relied?

Mr. OLIVER. Probably. I have such a mass of undigested correspondence that I probably have it some place in that mass. On the other hand, I may not, because I recently searched for an entirely different letter and wasn't able to find it. Possibly I just overlooked it.

Mr. JENNER. The letter was, I take it, from a person with whom you had not sufficient contact so that you can recall his or her name.

Mr. OLIVER. So far as I know, it was a name unknown to me. It could conceivably have been somebody that I met some time but, as I recall, there was no allusion to such a meeting. It was simply offering information.

Mr. JENNER. Did that—I take it from what you said that the letter made reference to the item that was about to be published which is now identified as Oliver Exhibit No. 8?

Mr. OLIVER. So far as I know, the writer of the letter had no knowledge of that interview at all.

Mr. JENNER. What did the writer of the letter say as you now recall?

Mr. OLIVER. The writer of the letter implied that the Army had rehearsed for the funeral of Kennedy—that was the implication in the letter—as I say, more than a week either before the funeral or the assassination, I am not quite sure which word was used.

Mr. JENNER. Did you attempt to verify the statement made by a source which was therefore unknown to you?

Mr. OLIVER. As I say, I simply put the letter aside and for all practical purpose, I should say I forgot it until I received this clipping.

Mr. JENNER. Then for all practical purposes, Doctor, in making your speech last week you relied on Oliver Exhibit No. 8?

Mr. OLIVER. Plus the letter for the date.

Mr. JENNER. For what date?

Mr. OLIVER. The date of the rehearsal.

Mr. JENNER. I see. Did you make any attempt to determine whether there was such a person who purported to write you a letter?

Mr. OLIVER. As the writer of the letter, you mean?

Mr. JENNER. Yes.

Mr. OLIVER. No; I did nothing with the letter.

Mr. JENNER. You just put it aside?

Mr. OLIVER. Yes; as for Captain Cloy, I did ascertain that there was such a person.

Mr. JENNER. How did you do that?

Mr. OLIVER. By trying to reach him by telephone.

Mr. JENNER. Where?

Mr. OLIVER. In McComb, Miss., which is a small town some distance south

of Jackson, but for which the Jackson paper evidently acts as the local paper. I understand there is a small paper in the town itself, but one that seems to be not very highly regarded.

Mr. JENNER. What did you do, make a long distance call down there?

Mr. OLIVER. Yes.

Mr. JENNER. And in making that call you were advised by whom that there was or was not such a person?

Mr. OLIVER. Well, I certainly was advised——

Mr. JENNER. Relate what you did on it.

Mr. OLIVER. What I did was place a person-to-person call to Captain Cloy, giving his full name.

Mr. JENNER. Richard C.?

Mr. OLIVER. Richard C. Cloy, in McComb, Miss. And it seems to me there is another item of information about him there which I was also able to use. Yes; it states Captain Cloy's wife is the daughter of Mr. and Mrs. J. W. Burt, of Summit. I am not too sure that I used the name of Burt. I may have simply had that at hand. In any case, connection was made by the operator to some home, I assume a home in McComb, from which she was referred to another number, and at the other number a female voice replied, I assumed it was the captain's mother, but had no means of verifying that—that the captain was in Germany and that there was no way of reaching him by telephone. I regard that as verifying his existence. I subsequently asked a friend of mine in Jackson, Miss., to verify his existence, and he reported to me that he did.

Mr. JENNER. You have never talked with Captain Cloy?

Mr. OLIVER. No; I had been unable to reach him. Very possibly had I been willing to persist and spend the money for transoceanic phones, I could have done so.

Mr. JENNER. I show you a document I have marked Oliver Exhibit No. 9 which consists of pages A-4596, and A-4597 of the Congressional Record of Thursday, September 3, 1964, which consists of extension of remarks of Morris K. Udall, of the House of Representatives, commencing on page A-4596, and running over to page A-4597. Are you familiar with those newspaper reports that Representative Udall has placed of record in the Congressional Record?

Mr. OLIVER. No; this is new to me. Congressman Udall is evidently much upset.

Mr. JENNER. You have anticipated my question. I was going to ask, well, I did ask if you were familiar with it. That is as you say new to you.

Mr. OLIVER. Yes.

Mr. JENNER. While you are looking at that, Doctor, I would like to mark your speech with an Exhibit number, and in fairness so as to have the accurate speech rather than the newspaper reports.

Mr. OLIVER. Very good. Of course this man is reporting part.

Mr. JENNER. I beg your pardon?

Mr. OLIVER. Of course this man is reporting in part.

Mr. JENNER. You are now referring to Oliver Exhibit No. 9?

Mr. OLIVER. The first by Eric Cavallero. You will return that manuscript?

Mr. JENNER. Everything.

While you are browsing on Oliver Exhibit No. 9, I have before me a sheaf of sheets, typewritten with longhand notations which I have marked Oliver Exhibit No. 10, and I think you estimated they ran 39 pages plus a couple of A pages.

(The document referred to was marked Oliver Exhibit No. 9 for identification.)

Mr. OLIVER. That is correct.

Mr. JENNER. There are some interlineations in longhand and some block printing on various of the pages. Are those interlineations and block printing in your handwriting?

Mr. OLIVER. Practically all of them. One or two of them may not be.

Mr. JENNER. Why don't you identify the ones that aren't.

Mr. OLIVER. This little——

Mr. JENNER. Page 7 in the lower left-hand corner is a notation reading "This month August 1964" and that is the handwriting of whom?

Mr. OLIVER. Mrs. Oliver. That is, I am perfectly willing to accept the responsibility for all of the handwritten notations that appear here.

Mr. JENNER. All right.

Mr. OLIVER. The only exceptions are one or two corrections where in my haste in typing I have inverted letters or things like that.

Mr. JENNER. Obvious typographicals?

Mr. OLIVER. Yes.

Mr. JENNER. This is, sir, the typewritten speech?

Mr. OLIVER. Typewritten text from which I spoke.

Mr. JENNER. I am sorry, I mean typewritten text from which you spoke at the Santa Ana Valley High School and other places you have spoken in recent days?

Mr. OLIVER. Yes.

Mr. JENNER. Would you tell us where those places were?

Mr. OLIVER. Tucson, Ariz.

Mr. JENNER. Can you give the dates, approximately?

Mr. OLIVER. Yes; I can give you the exact dates. I spoke in Tucson on Monday, the 24th of August; San Diego, Tuesday, the 25th of August; Azusa, Calif., Wednesday, the 26th of August; Glendale, Calif., Thursday, the 27th of August; Santa Ana Friday the 28th of August; and Salt Lake City Saturday, the 29th of August. And the speech which I gave in all of those places was substantially the same except that I did cut.

Mr. JENNER. The same as Oliver Exhibit No. 10?

Mr. OLIVER. Yes; I did occasionally cut when I saw that my time was running a little long.

Mr. UNGER. I wish you would have done that today. We missed another plane.

(The document referred to was marked Oliver Exhibit No. 10 for identification.)

Mr. JENNER. In your reference to Joachim Joesten's book, you had particular reference to chapter 16, did you not?

Mr. OLIVER. Yes, I believe so. This is the one which takes up the discussion of the CIA and the FBI, and tries to connect them with General Walker and H. L. Hunt, and other persons.

Mr. JENNER. Do I now have all the sources to which you resorted in preparing your article in the American Opinion, and the speech which is identified as Oliver Exhibit No. 10?

Mr. OLIVER. I believe so; yes.

Mr. JENNER. Is it a fair statement that as to both of those your sources were, to use your language, public sources in the sense of books, newspaper articles, and—what would you call this kind of a thing—

Mr. OLIVER. Newspaper articles, or bulletins, and magazine articles.

Mr. JENNER. Magazine articles, and that you had no confidential source other than if you want to describe Colonel Clark's talk with you as a confidential source?

Mr. OLIVER. That is right. Except, of course, that I used the research facilities of Mr. Capell particularly, as I have stated.

Mr. JENNER. Did you use his research facilities in the sense of his library or rather did you employ bulletins issued by him or reports made to you which he prepared using his own library?

Mr. OLIVER. Reports which he made to me chiefly by telephone, chiefly because I needed them in a hurry.

Mr. JENNER. Yes; and your understanding was that he in turn based those reports on research work that he did of public sources?

Mr. OLIVER. He has very elaborate files and many contacts.

Mr. UNGER. I should point out to you that Mr. Jenner said he based upon public publications or files. That is not exactly correct, is it?

Mr. OLIVER. Mr. Jenner said that Mr. Capell based his.

Mr. UNGER. Yes; do you want that statement to stand?

Mr. JENNER. As far as you know. I will put it this way, sir. What were Mr. Capell's sources so far as they are personally known to you, of your own knowledge?

Mr. OLIVER. They are Mr. Capell's files which go back over many years, and

Mr. Capell's current files which include information that he obtains from former intelligence officers and former members of the FBI. He has contacts with the Cuban underground, in fact with several Cuban undergrounds, and various other sources which enable him to obtain information which he believes to be reliable and accurate. He will indicate to me the nature of the information that he has, although over the telephone he will not usually disclose a source that he regards as confidential.

Mr. JENNER. Do you have any other editions of his publication "The Herald of Freedom" that is, in addition to Oliver Exhibit No. 6 upon which you relied?

Mr. OLIVER. I have, in the sense that I relied on information from him, much of which appeared in various copies of his periodical. I believe I have one other issue here. Here is one dated the 6th of December, 1963.

Mr. JENNER. Upon which you also relied?

Mr. OLIVER. Yes.

Mr. JENNER. That we will mark as Oliver Exhibit No. 11.

(The document referred to was marked Oliver Exhibit No. 11 for identification.)

Mr. JENNER. It is the Herald of Freedom issue, volume 4, No. 9, dated December 6, 1963. The first page of which is entitled "John Fitzgerald Kennedy," the second page Lee Harvey Oswald, the third page Lee Harvey Oswald, and at the bottom of the page Leon Rubenstein alias Jack Ruby. That is continued onto the fourth page, and the final heading, "The truth shall make you free," is on the fourth page. I take it you were relying upon the materials appearing in pages 1, 2, 3, and about the third of the way down on page 4.

Mr. OLIVER. Yes.

Mr. JENNER. I show you a tearsheet from the Chicago Daily News, dated Wednesday, February 12, 1964, on which I have underlined in red pencil or red ink, statements attributed by the author, the reporter who authored this article, and ask you whether those statements fairly report claims, charges or statements that you made?

Mr. OLIVER. No, they certainly do not fairly report what I said. They are quoting from the article which is already in the record.

Mr. JENNER. That is American Opinion?

Mr. OLIVER. Yes, American Opinion.

Mr. JENNER. So that an accurate, truly accurate, representation of what you did say or you did write is the two issues of American Opinion now identified as Oliver Exhibits Nos. 1 and 2?

Mr. OLIVER. Precisely, and not what some malicious or careless journalist might wish to excerpt from that article for the purposes of producing a sensation or a scandal.

Mr. JENNER. Dr. Oliver, we had a kind of hard time getting hold of Commission Exhibit 1015 and they are out of print, by the way. I would like to know—are you what Mr. Surrey testified to as a—are you on the presubscription list of the—

Mr. OLIVER. American Eagle Publishing Co.

Mr. JENNER. American Eagle Publishing Co.?

Mr. OLIVER. I may well be. I was or don't know whether there was or is a presubscription list. But I suspect that if there was or is one I may well be on it.

Mr. JENNER. Would you be good enough to tell me how you came by one?

(Discussion off the record.)

(The document was marked Oliver Exhibit No. 12.)

Mr. OLIVER. If you want to know how I got my copy, General Walker sent it to me. As I assume that he did; anyway, it was sent to me.

Mr. JENNER. At least it arrived in the mail?

Mr. OLIVER. That is right. Here is the ad.

Mr. JENNER. The advertisement to which Mr. Unger made reference appears in Oliver Exhibit No. 1, page 82.

Mr. UNGER. That is not the advertisement that I made reference to, and I am not a subscriber to that magazine. I just got an ad through the mail for that publication.

Mr. JENNER. All right. Now, I have no further questions. Mr. Unger, you are at liberty to ask Mr. Oliver any questions you desire.

Mr. UNGER. I understand that I have the opportunity to clarify any points that are in confusion, but I think that the witness and counsel have brought everything out admirably. I can't think anything that needs to be added.

Mr. JENNER. Thank you. I have no further questions.

Mr. OLIVER. I would like to——

Mr. JENNER. Is there something you would like to add, sir?

Mr. OLIVER. Merely to point out that your opening statement of which I have a copy here, confuses the article with the speech in the reference to the rehearsal for the funeral which, of course, was not made in the article but was made in the speech, and contains a very serious misstatement in saying that in my article I charge that "President Kennedy's assassination was part of a Communist plot engendered with the help of the Central Intelligence Agency." I make no such charge.

Mr. JENNER. The charge you make is contained in your speech. Whatever you say on that subject is contained in Oliver Exhibit No. 10, your speech, is that correct, sir?

Mr. OLIVER. What I say on that subject is contained in the speech which you have labeled No. 10.

Mr. JENNER. Are there any other sources for your speech or your article to which we have not yet made reference?

Mr. OLIVER. There would probably be thousands of them if we consider the first two-thirds of the speech in which I discuss socialism and so on——

Mr. JENNER. Doctor, we are only concerned with the subject matter.

Mr. OLIVER. Of the assassination?

Mr. JENNER. Yes.

Mr. OLIVER. No, we have covered only the kind of sources that we have used.

Mr. JENNER. Mr. Reporter, I offer in evidence as Oliver Exhibits Nos. 1 through 12, the documents previously so marked.

(The documents heretofore marked as Oliver Exhibits Nos. 1 through 12, were received in evidence.)

Mr. JENNER. All right, thank you, sir.

AFFIDAVIT OF B. M. PATTERSON

The following affidavit was executed by B. M. Patterson on August 26, 1964.

PRESIDENT'S COMMISSION
ON THE ASSASSINATION OF
PRESIDENT JOHN F. KENNEDY

AFFIDAVIT

I, B. M. Patterson, being duly sworn, depose as follows:

I now reside at Apartment 201, Habana Apartments, 1607 North Carroll, Dallas, Texas. On January 22, 1964, I was residing at 4635 Hartford Street, Dallas, Texas, and was then employed by Wyatt's Cafeteria, 2647 Lancaster, Dallas, Texas.

On January 22, 1964, I was interviewed by Special Agents John T. Kesler and Vernon Mitchem of the Federal Bureau of Investigation concerning what I had seen on November 22, 1963, as it related to Lee Harvey Oswald, the shooting of Dallas Police Officer, J. D. Tippit, and the assassination of President John Fitzgerald Kennedy.

I have been shown the written report of the results of this interview by Special Agents John T. Kesler and Vernon Mitchem of the Federal Bureau of Investigation, on January 22, 1964.* While this transcription is basically and materially correct, I desire to make the following clarifications in regard to the contents of this report. This modification pertains to the second sentence of paragraph two. I choose to have the second referenced sentence changed to read as follows:

*This report was labeled B. M. Patterson Exhibit A.

"A minute or so later, they observed a white male, approximately thirty years of age, running south on Patton Avenue, carrying a revolver in his hand and was obviously trying to reload it. He stopped still and then reloaded the gun."

In regard to the last paragraph of this report, I do not at this late date specifically recall having been exhibited a photograph of Lee Harvey Oswald, at the time of the interview of January 22, 1964, and desire that this paragraph be deleted as an official reporting of that interview.

I have read this written report and with the exception of the aforementioned notations, it reveals a correct report of what I saw on November 22, 1963.

Signed this 26th day of August 1964.

(S) B. M. Patterson,
B. M. PATTERSON.

AFFIDAVIT OF B. M. PATTERSON

The following affidavit was executed by B. M. Patterson on September 7, 1964.

PRESIDENT'S COMMISSION
ON THE ASSASSINATION OF
PRESIDENT JOHN F. KENNEDY

AFFIDAVIT

I, B. M. PATTERSON, being duly sworn, depose as follows:

I now reside at Apartment 201, Habana Apartments, 1607 North Carroll, Dallas, Texas. On August 25 and 26, 1964, I was residing at this same address and was employed at Holly Southwest, Inc., 5606 Dyer, Dallas, Texas.

On August 25 and 26, 1964, I was interviewed by Special Agent Richard J. Burnett of the Federal Bureau of Investigation concerning what I had witnessed on November 22, 1963 as it related to Lee Harvey Oswald, the shooting of Dallas Police Officer J. D. Tippit, and the assassination of President John Fitzgerald Kennedy.

I have been shown the account of my interviews with Special Agent Richard J. Burnett as put in written form in regards to the interviews of August 25 and 26, 1964.* I have read this written report and it represents a correct report of what I saw on November 22, 1963, as well as my identification of photographs of Lee Harvey Oswald as the individual I had seen on that date.

Signed this 7th day of September 1964.

(S) B. M. Patterson,
B. M. PATTERSON.

AFFIDAVIT OF ARTHUR MANDELLA

The following affidavit was executed by Arthur Mandella on September 17, 1964.

PRESIDENT'S COMMISSION
ON THE ASSASSINATION OF
PRESIDENT JOHN F. KENNEDY

AFFIDAVIT

DISTRICT OF COLUMBIA, ss:

I, Arthur Mandella, being first duly sworn, depose and say:

1. This affidavit is made in connection with testimony I gave to the Commission on an earlier date.

2. I have compared the photograph, Commission Exhibit No. 658, with a lift of the palmprint, Commission Exhibit No. 637; the photograph, Commission Exhibit No. 655, with a piece of cardboard, Commission Exhibit No. 649; the photograph, Commission Exhibit No. 659, with a home-made paper bag, Commission Exhibit No. 142; before the and the photograph, Commission Exhibit No. 656, with the cardboard carton, Commission Exhibit No. 641. As a result of this comparison, I have determined that the respective photographs, which I had earlier testified

*This report was labeled B. M. Patterson Exhibit B.

were photographs of the prints of Lee Harvey Oswald, are accurate photographs of prints from the objects, Commission Exhibit Nos. 637, 649, 142, and 641, and that the prints on Commission Exhibit Nos. 637, 649, 142, and 641, are the prints of Lee Harvey Oswald.

Signed this 17th day of September 1964, at Washington, D.C.

(S) Det. Arthur Mandella NYCPD,
ARTHUR MANDELLA.

TESTIMONY OF JOHN F. GALLAGHER

The testimony of John F. Gallagher was taken at 10 a.m., on September 15, 1964, at 200 Maryland Avenue NE., Washington, D.C., by Mr. Norman Redlich, assistant counsel of the President's Commission.

Mr. REDLICH. The purpose of this deposition is to take the testimony of Mr. John F. Gallagher. Mr. Gallagher, before we start I would like to advise you that under the rules of this Commission you are entitled to 3 days' notice prior to your testimony. You have not had 3 days' notice. However, you are also free to waive that notice if you wish. Are you willing to testify this morning?

Mr. GALLAGHER. I am, sir.

Mr. REDLICH. It is customary to administer an oath, so would you stand? Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. GALLAGHER. I do.

Mr. REDLICH. For the record, would you state your name?

Mr. GALLAGHER. My name is John F. Gallagher.

Mr. REDLICH. Mr. Gallagher, what is your occupation?

Mr. GALLAGHER. I am a special agent of the Federal Bureau of Investigation, presently assigned to the Physics and Chemistry Section of the FBI Laboratory.

Mr. REDLICH. How long have you been with the FBI?

Mr. GALLAGHER. I have been with the FBI approximately 18 years.

Mr. REDLICH. Very briefly, what has been the nature of your affiliation with the FBI?

Mr. GALLAGHER. The greater part of that 18 years I have been assigned to the FBI Laboratory, and in particular to the Physics and Chemistry Section. I work in the spectrographic unit of the FBI Laboratory.

Mr. REDLICH. And this is what you have been doing for the greater portion of your 18 years with the FBI?

Mr. GALLAGHER. That is correct.

Mr. REDLICH. What is your educational background, Mr. Gallagher?

Mr. GALLAGHER. I graduated from Boston College with a bachelor of science degree in 1939, and I returned for 2 years on a fellowship to obtain a master of science degree.

When I entered the military service I was sent for a 9-month course at Massachusetts Institute of Technology in meteorology. Following my discharge from the Army, I joined the Federal Bureau of Investigation. I received special agents' training, and have taken specialized courses during my period in the FBI, one of which was a course in neutron activation analysis at the Oak Ridge National Laboratory—correction—at Oak Ridge Institute of Nuclear Studies, from September 24 to October 5, 1962.

Mr. REDLICH. Are you familiar with a technique of analysis which is called neutron activation analysis?

Mr. GALLAGHER. Yes, sir; I am familiar with the technique known as neutron activation analysis.

Mr. REDLICH. Could you describe briefly, without reference to the specific evidence that is under investigation here, the nature of this technique?

Mr. GALLAGHER. Neutron activation analysis involves subjecting small samples to a beam of sub-atomic particles known as neutrons. Elements within the

sample having been bombarded by neutrons are transformed in many instances to radioactive atoms. These radioactive atoms will decay and emit characteristic radiations. By studying the emitted radiations, one can determine and trace quantities of elements in specimens.

Mr. REDLICH. This is a technique whereby certain elements are made radioactive as a result of being bombarded by neutrons; is that correct?

Mr. GALLAGHER. Yes, sir.

Mr. REDLICH. This enables you to isolate certain elements for purposes of analysis; is that correct? Let me rephrase the question: Does this enable you to determine the presence of certain elements for purposes of analysis?

Mr. GALLAGHER. This enables you to determine and to measure the quantity of certain elements in a given specimen.

Mr. REDLICH. What is the advantage of the neutron activation technique over other methods of determining the presence of certain elements?

Mr. GALLAGHER. Well, this method of analysis, because of its extreme sensitivity, offers a great advantage over more conventional procedures. Furthermore, chemical treatments of your samples subsequent to activation do not distort your results by contamination. If an acid, for example, is added to a specimen after irradiation which is under study for the presence of antimony, and the acid itself contains antimony, it will not contain a radioactive form of antimony, and this is the form which is measured during the analysis.

Mr. REDLICH. Has neutron activation analysis been used in criminal investigation work, to your knowledge, Mr. Gallagher?

Mr. GALLAGHER. It has been used in criminal investigative work.

Mr. REDLICH. Could you, for the sake of the record, give me a few examples of the types of situations in which it has been used—without reference to any particular case?

Mr. GALLAGHER. Neutron activation analysis has been used to determine the arsenic content in hair, urine, and fingernail scrapings, in a suspected arsenic-poisoning case.

Mr. REDLICH. Has it been—is it used as a method of determining whether or not a person has fired a weapon?

Mr. GALLAGHER. I do know that this technique has been used to attempt to determine if an individual has fired a weapon.

Mr. REDLICH. Do you believe that it is a technique which could be used under certain conditions to determine whether or not a person has fired a weapon?

Mr. GALLAGHER. I do believe that it is a technique which can be used to determine if a person has fired a weapon or handled a recently fired weapon.

Mr. REDLICH. Have you yourself, Mr. Gallagher, ever testified in court with regard to the results of a neutron activation analysis?

Mr. GALLAGHER. No, sir.

Mr. REDLICH. Now let us turn, Mr. Gallagher, to the specific investigation that we are concerned with in this inquiry. Are you familiar with any neutron activation analyses which were conducted in connection with the assassination of President Kennedy?

Mr. GALLAGHER. Yes, sir.

Mr. REDLICH. Could you describe what they were?

Mr. GALLAGHER. Neutron activation analyses were conducted at Oak Ridge National Laboratory, Oak Ridge, Tenn., on the paraffin casts from the right hand, the left hand, and the right cheek of Lee Harvey Oswald.

Mr. REDLICH. May I interrupt you there, Mr. Gallagher? Your determination that these were the casts from the right and left hand and right cheek of Lee Harvey Oswald was based upon information given to you and is not based upon your own personal knowledge; isn't that correct?

Mr. GALLAGHER. It is based upon knowledge which I obtained from an official Bureau report.

Mr. REDLICH. The record would indicate that these casts were made in Dallas, and were made in connection with tests performed by the Dallas police. And then subsequently they were forwarded to the FBI in Washington. That is our understanding of the manner in which the casts were made and placed into the possession of the Federal Bureau of Investigation. Do you have any information to the contrary?

Mr. GALLAGHER. It is my understanding that Dr. Morton Mason, Director of Dallas City-County Criminal Investigation Laboratory made and processed the paraffin casts.

Mr. REDLICH. Now, would you proceed?

Mr. GALLAGHER. The paraffin casts were analyzed by neutron activation analyses to determine if these casts from Oswald, which were made, chemically treated, and subsequently washed by investigators in the Dallas area, bear any deposits which could be associated with the rifle cartridges found in the Texas School Book Depository Building.

Mr. REDLICH. Do you know why the casts had been chemically treated in Dallas?

Mr. GALLAGHER. Reportedly, these casts were chemically treated for the presence of nitrates.

Mr. REDLICH. This is what is popularly referred to as the paraffin test?

Mr. GALLAGHER. Yes; it has been popularly referred to as the paraffin test.

Mr. REDLICH. And your testimony is that these casts had been washed by the time they reached your possession; is that correct?

Mr. GALLAGHER. Yes, sir.

Mr. REDLICH. Would you continue?

Mr. GALLAGHER. The deposits found on the paraffin casts from the hands and cheek of Oswald could not be specifically associated with the rifle cartridges. The casts from Oswald bore elements—namely, barium and antimony—which were present in the powder residues from both the rifle, and revolver cartridges. No characteristic elements were found by neutron activation analysis of the residues which could be used to distinguish the rifle from the revolver cartridges. In view of the fact that the paraffin casts were not made until after the reported firing and handling of the fired revolver, no significance could be attached to the residues found on the casts other than the conclusion that the barium and antimony in these residues are present in amounts greater than found on the hands of an individual who has not recently fired or handled a recently fired weapon.

Mr. REDLICH. You mentioned in your answer, Mr. Gallagher, that the elements which you found present on the paraffin casts, which were also present on the spent cartridges found at the Texas School Book Depository, were the elements barium and antimony; is that correct?

Mr. GALLAGHER. Yes, sir.

Mr. REDLICH. In your opinion, what is the source of the elements barium and antimony on these cartridges?

Mr. GALLAGHER. Barium and antimony are residues left from the spent primers in the cartridges.

Mr. REDLICH. The primer being the portion of the cartridge which ignites the principal explosive substance in the cartridge; is that correct?

Mr. GALLAGHER. The primer is that portion of the cartridge which is——

Mr. REDLICH. If I may interrupt—which is initially struck by the firing pin?

Mr. GALLAGHER. Which is struck by the firing pin, and detonates to initiate the explosive charge in the cartridge itself.

Mr. REDLICH. Now, are the elements barium and antimony found in most primer residues?

Mr. GALLAGHER. Barium and antimony are found in most primer residues; yes.

Mr. REDLICH. Did you determine whether barium and antimony are present in the Western Cartridge Co. ammunition which was found on the sixth floor of the Texas School Book Depository?

Mr. GALLAGHER. I did, sir.

Mr. REDLICH. And did you find that barium and antimony are, in fact, found in ammunition of that manufacturer?

Mr. GALLAGHER. Yes.

Mr. REDLICH. Did you also determine whether the elements barium and antimony are found in the .38 caliber ammunition manufactured by Remington Peters and Winchester Western, which was the ammunition used in the shooting of officer Tippit?

Mr. GALLAGHER. Yes; I did.

Mr. REDLICH. And did you find that the elements barium and antimony were, in fact, present in this type of ammunition?

Mr. GALLAGHER. Yes; I did.

Mr. REDLICH. With regard to the rifle cartridges, did you examine the cartridges which were actually found on the sixth floor of the Texas School Book Depository?

Mr. GALLAGHER. Yes; I did.

Mr. REDLICH. And did you determine that the elements barium and antimony were present on those particular cartridges?

Mr. GALLAGHER. Yes; I did.

Mr. REDLICH. Are you able to give us your opinion as to the possible effect of the washing of the paraffin casts on the analysis which you performed? Let me rephrase the question. Did the fact that these casts were washed prior to the neutron activation test materially alter, in your opinion, the results of the neutron activation analysis?

Mr. GALLAGHER. I can say that the washing did not remove all the antimony and barium.

Mr. REDLICH. In your opinion, would the washing of these paraffin casts remove substantial amounts of the elements barium and antimony if they were present on those casts?

Mr. GALLAGHER. Chemical treatment and washing will remove portions of the barium and antimony from these casts. This was determined from test casts which were studied in connection with these analyses. But it did not remove all the barium and antimony.

Mr. REDLICH. Can you describe exactly what you did with these paraffin casts in order to perform a neutron activation analysis?

Mr. GALLAGHER. Do you want me to tell who I worked with here?

Mr. REDLICH. Yes.

Mr. GALLAGHER. These casts were taken to the Oak Ridge National Laboratory at Oak Ridge, Tenn., and there, with a Dr. Frank F. Dyer, and Mr. J. F. Emery, work was performed on these casts. The casts were studied under a binocular microscope. The surface of the casts were scraped. These paraffin scrapings were put into a small container which was then placed in a pneumatic tube and sent into the heart of the research reactor to be bombarded by neutrons for a 3-minute period. The neutron flux was 6 times 10^{13} neutrons per square centimeter per second. After the 3 minutes were up, the container with its contents was discharged from the reactor.

The gamma ray spectrum was studied. And then chemical tests were made to precipitate barium and also to precipitate the antimony. The barium and antimony were quantitatively determined.

Mr. REDLICH. You stated in your answer that—

Mr. GALLAGHER. Correction. Were quantitatively determined by studying the gamma rays emitted by the barium isotope 139 and the antimony isotope 122.

Mr. REDLICH. Now, according to your testimony, you determined that the elements barium and antimony were present in the hand casts in an amount greater than would be expected in the case of a person who had not fired a revolver.

Mr. GALLAGHER. Fired or handled a recently fired weapon.

Mr. REDLICH. Confining ourselves for the moment to the hand casts, does such a conclusion enable you to state that the person from whose hands these cases were made had in fact fired a revolver? The question I am asking you, Mr. Gallagher, is one designed to determine the extent to which the neutron activation technique is able to result in definitive judgments. Your initial answer was that the elements barium and antimony were present in these casts in an amount greater than would be expected from a person who had not either fired a weapon or handled a recently fired weapon. Are you able to, on the basis of this, make a judgment as to whether in fact the person from whose hands these casts were made had in your opinion fired a revolver, or handled a fired revolver?

Do you understand my question, before you attempt to answer it?

Mr. GALLAGHER. Well, first of all I reported that there was more on the hands than would be found on the hands of a normal individual who had not fired or handled a recently fired weapon. Now, I don't quite get the point of your question.

Mr. REDLICH. The point of my question is whether you are able, on the basis of

this analysis, to express an opinion as to whether the person from whose hands these casts were made had fired a weapon.

Mr. GALLAGHER. It is my opinion that the person from whom these casts were removed may have either handled a fired weapon, or fired a weapon.

Mr. REDLICH. I would like to introduce into the record a letter which I have marked Gallagher Exhibit No. 1.

(Gallagher Exhibit No. 1 was marked for identification.)

Mr. REDLICH. This is a letter from FBI Director J. Edgar Hoover to J. Lee Rankin, general counsel of this Commission. Are you familiar with the contents of this letter, Mr. Gallagher?

Mr. GALLAGHER. Yes, sir.

Mr. REDLICH. You will note that this letter indicates a variety of substances which contain the element barium, the element antimony, and substances which contain the elements barium and antimony.

The last question I asked you, Mr. Gallagher, was whether you could make a judgment as to whether a person from whose hands these casts were made had fired a weapon or handled a fired weapon, and you indicated that on the basis of these tests you could make such a judgment.

The question I now ask you is in light of the contents of the letter which has been designated as Gallagher Exhibit No. 1, are you able to isolate the source of the elements barium and antimony which you found on the hand casts as coming from the primer residues rather than from the substances which are described in Gallagher Exhibit No. 1?

Mr. GALLAGHER. It is true that there are common commercial products which contain barium and which contain antimony.

Mr. REDLICH. And which contain barium and antimony together?

Mr. GALLAGHER. And also which contain barium and antimony together. However, before these elements can contaminate the hands or person—hands or body of an individual—they must be accessible so they can adhere by mechanical adhesion to the individual. Under normal circumstances, most of the ingredients mentioned in Exhibit No. 1—

Mr. REDLICH. Excuse me—could you refer to that as Gallagher Exhibit No. 1?

Mr. GALLAGHER. Gallagher Exhibit No. 1, is not normally in the form which will permit contamination by this mechanical adhesion.

Mr. REDLICH. Are you generally familiar with the test which is commonly referred to as the paraffin test, which tests paraffin casts for nitrate residues?

Mr. GALLAGHER. Yes, sir.

Mr. REDLICH. As I understand it, Mr. Gallagher, one of the reasons why this test is considered unreliable for purposes of determining whether or not someone has fired a weapon is the fact that the elements which react with the reagents in the paraffin test are found in a variety of common substances. Is that correct?

Mr. GALLAGHER. The diphenylamine or the diphenylbenzadene tests are not specific. They react with many ingredients and for this reason the results obtained from such tests are difficult to interpret.

Mr. REDLICH. And when I asked you to evaluate the results of the neutron activation test performed on the hand casts in the light of the contents of Gallagher Exhibit No. 1, do I understand your answer to be that in the case of the neutron activation analysis it is possible to make a valid determination as to the presence of the elements barium and antimony, notwithstanding the fact that the elements barium and antimony are found in common substances and not merely found in primer residues.

Mr. GALLAGHER. The determination of barium and antimony by neutron activation analysis is specific. Although there are commercial products which contain the elements barium and antimony, these components in many of these commercial products are not as available for contaminating purposes as are nitrates and oxidizing agents detected by the diphenylamine or diphenylbenzidine tests.

Mr. REDLICH. So that the differences between the neutron activation analysis and the paraffin test for nitrate residues relate both to the question of the availability of the nitrates and oxidizing agents in the paraffin test as compared to the barium and antimony in the neutron activation analysis, and also to the fact that in the paraffin test for nitrate residues, the result is not necessarily

specific as to nitrate residues, whereas in the neutron activation analysis for the presence of the elements barium and antimony, the results are specific to the elements barium and antimony. Is that a correct statement?

Mr. GALLAGHER. Yes. And furthermore, in Gallagher Exhibit No. 1, it says that paint, for example, contains both barium and antimony—this does not mean that every sample of paint contains barium and antimony. And so it is with the other items mentioned in Gallagher Exhibit No. 1.

Mr. REDLICH. All right. Now let us turn to the cheek casts, Mr. Gallagher. Could you tell us the results of your examination of the cheek casts with reference to the presence of the elements barium and antimony?

Mr. GALLAGHER. Barium and antimony were found on the cheek casts. However, when the cheek cast was analyzed, both surfaces of the cheek cast were studied. That is, the surface adjacent to the skin of the subject and the surface away from the skin of the subject, or the outside surface of the cast.

Mr. REDLICH. For our record, let us call the surface adjacent to the skin the inside surface, and the other surface the outside surface.

Mr. GALLAGHER. The outside surface of this cast was found to contain barium and antimony—actually more barium was found on the outside surface of the cast than on the inside surface.

Mr. REDLICH. And as far as antimony is concerned, was there more on the outside than on the inside?

Mr. GALLAGHER. There was slightly less antimony on the outside of the cast than on the inside of the cast.

Mr. REDLICH. Do you have any explanation for the presence of barium and antimony on the outside of the cast, and as part of the same question, do you have any explanation for their being more barium on the outside than the inside?

Mr. GALLAGHER. I have no explanation for this difference.

Mr. REDLICH. Were you able to make determination as to whether the barium and antimony present on the inside cast was more than would be expected in the case of a person who had not fired a weapon or handled a fired weapon?

Mr. GALLAGHER. I found that there was more barium and antimony on the inside surface of the cast than you would find on the cheek of an individual who had recently washed his cheek. However, the significance of this antimony and barium on the inside of the cheek is not known.

Mr. REDLICH. Is that because the outside surface acts as a sort of control on the basis of which you can make a comparison?

Mr. GALLAGHER. The outside surface of the cheek was run as a control for this particular specimen.

Mr. REDLICH. And therefore the presence of a lesser amount of barium and a slightly larger amount of antimony on the inside surface was one of the reasons why you could not make a determination as to the significance of the barium and antimony on the inside surface, is that correct?

Mr. GALLAGHER. Yes, sir.

Mr. REDLICH. Did the fact that Oswald was believed to have fired a revolver prior to the time the paraffin casts were made have an effect on your ability to determine the significance of the barium and antimony on the inside of the cheek cast?

Mr. GALLAGHER. The subsequent repeated firing of the revolver definitely overshadowed the results. That is why it was reported that no significance could be attached to the residues found on the cast other than the conclusion that the barium and antimony in these residues are present in amounts greater than found on the hands of a normal individual who had not recently fired or handled a fired weapon.

Mr. REDLICH. In other words, given the known fact, or the assumed fact, that the suspect had fired a revolver repeatedly, the barium and antimony could have found their way to the suspect's cheek as a result of the repeated firing of that revolver, and therefore precluded you from making any determination as to whether the elements barium and antimony were placed on the cheek as the result of the firing of the rifle. Is that a correct statement?

Mr. GALLAGHER. Well, there is no way to eliminate the fact that the subject may have wiped a contaminated hand across his cheek subsequent to the firing of the revolver, thus contaminating his cheek with barium and antimony.

Mr. REDLICH. Getting back to the hand casts, did you use the outside surface of the hand casts as a control surface?

Mr. GALLAGHER. Yes; I did, sir.

Mr. REDLICH. Could you tell us how the inside or the outside surface of the hand cast compared with regard to the elements barium and antimony?

Mr. GALLAGHER. Much more barium and antimony were found on the inside of the hand casts than were found on the control specimens taken from the outside of the hand casts of the subject.

Mr. REDLICH. Mr. Gallagher, prior to this morning's deposition, you and I had a conversation in which we covered the general subject matter which was to be the subject of this deposition. Is there anything in your recorded testimony which is inconsistent with the information which you provided prior to this recorded testimony?

Mr. GALLAGHER. No, sir.

Mr. REDLICH. Have we, to the best of your recollection, covered in our recorded testimony at least everything that was discussed in our off the record conversation?

Mr. GALLAGHER. Yes, sir.

Mr. REDLICH. Is there anything which you would like to add at this time to your testimony concerning the matters under investigation?

Mr. GALLAGHER. No, sir.

Mr. REDLICH. All right, Mr. Gallagher. This testimony will be transcribed and will be available for your review. We will adjourn the deposition at 10:56 p.m.

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- 28..... Vol. VII, p. 437.
- 29..... Vol. VII, pp. 437-438.
- 30..... Vol. VII, pp. 437-438.

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- 1..... Vol. XV, pp. 655, 662,
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- 5318..... Vol. XIII, p. 219.

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- 1..... Vol. VIII, pp. 213-214.

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- 5135..... Vol. XIII, pp. 90-93,
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- 5061..... Vol. XII, pp. 404-405,
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- 5062..... Vol. XII, pp. 404-405,
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- 5063..... Vol. XII, pp. 404, 407,
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- 1..... Vol. XV, pp. 704, 706.

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- 2..... Vol. XV, pp. 704, 708-
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- 5099..... Vol. XII, pp. 178, 186.
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- 5200-A... Vol. XIII, pp. 431-433,
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- 5200-B... Vol. XIII, pp. 431-433,
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- 5202..... Vol. XIV, pp. 1, 6-7, 11,
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- 5203..... Vol. XIV, pp. 56, 62.
- 5204..... Vol. XIII, p. 379.
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- 5214..... Vol. XIV, p. 68.
- 5214-A... Vol. XIV, p. 68.
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- 1..... Vol. XI, p. 477.
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- 1..... Vol. XV, pp. 110-111.
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- 5051..... Vol. XII, p. 187.
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- 5313..... Vol. XII, p. 40.
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- 5042..... Vol. XII, pp. 207, 225.
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- 5045..... Vol. XII, p. 225.
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- 5324..... Vol. XII, pp. 228, 234.
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- 1..... Vol. VI, p. 457.
 2..... Vol. VI, pp. 463-464.
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- 5007..... Vol. XII, pp. 423, 439.
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- 5321..... Vol. XII, pp. 50-51.
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- 1..... Vol. IX, pp. 23, 277-
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- A..... Vol. VII, pp. 154-155.
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- A..... Vol. VI, p. 166.
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- 1..... Vol. X, pp. 109-111.
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- 1..... Vol. VIII, p. 312.
- Dougherty Exhibit:
- A..... Vol. VI, p. 382.
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- 1..... Vol. XV, p. 436.
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- Duncan Exhibit No.:
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- Eberhardt Exhibit No.:
- 5025..... Vol. XIII, p. 192.
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- Edwards Exhibit:
- A..... Vol. VI, p. 205.
- Evans Exhibit No.:
- 5122..... Vol. XIII, p. 198.
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- 1..... Vol. XV, pp. 295, 310.
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- Foster Exhibit:
- A..... Vol. VI, pp. 249, 253.
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- Frazier Exhibit No.:
- 5086..... XII, p. 56.
 - 5087..... Vol. XII, p. 57.
- Fuqua Exhibit No.:
- 5134..... Vol. XIII, p. 145.
- Gallagher Exhibit No.:
- 1..... Vol. XV, pp. 750-751.
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- 1..... Vol. V, pp. 447, 524, 541.
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- Gibson Exhibit:
- A..... Vol. VII, p. 71.
- Giesecke Exhibit No.:
- 1..... Vol. VI, pp. 73, 75.
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- 1..... Vol. XIV, p. 430.
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- Graves (Gene) Exhibit No.:
- 1..... Vol. XI, p. 479.
- Graves (L. C.) Exhibit No.:
- 5003-A... Vol. XIII, p. 12.
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- Gray Exhibit No. 1:
- 1..... Vol. XI, p. 210.
- Greener Exhibit No.:
- 1..... Vol. XI, pp. 232, 246,
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- 1..... Vol. VI, p. 100.
- Hall (C. Ray) Exhibit No.:
- 1..... Vol. XV, p. 66.
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- 1..... Vol. XV, p. 175.
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- 1..... Vol. XV, pp. 489, 491.
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 1..... Vol. VIII, p. 220.

Helmick Exhibit No.:
 1..... Vol. XV, p. 403.

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 1..... Vol. XV, pp. 495-496.

Holland Exhibit:
 A..... Vol. VI, p. 242.
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 1..... Vol. VIII, p. 328.
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 1..... Vol. XV, pp. 601-603.

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 1..... Vol. X, pp. 97-98.
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Johnson (Gladys J.) Exhibit:

A..... Vol. X, p. 294.

Johnson (Priscilla M. P.) Exhibit No.:

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1..... Vol. XV, p. 614.

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1..... Vol. XV, pp. 509, 531.

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Jones (Ronald C.) Exhibit No.:

1..... Vol. VI, p. 55.

Kaiser Exhibit:

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1..... Vol. XV, pp. 75, 88.

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2..... Vol. VII, pp. 585, 588.

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1..... Vol. X, pp. 87–88, 92,
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1..... Vol. VII, pp. 374, 379.

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A..... Vol. VI, p. 227.

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1..... Vol. XV, pp. 454, 456.

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Molina Exhibit:

A..... Vol. VI, p. 368.

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A..... Vol. VI, p. 260.

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1..... Vol. XI, pp. 472-473.

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1..... Vol. VI, p. 147.

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5355..... Vol. XIV, p. 111.

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1..... Vol. IX, p. 437.

2..... Vol. IV, pp. 56-59.
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Paine (Ruth H.) Exhibit No.:

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